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LISTS

OF

BRITISH ENACTMENTS IN FORCE IN NATIVE STATES:

COMPILED BY

J. M. MACPHERSON,

OF THE INNER TEMPLE, BARRISTER-AT-LAW, AND DEPUTY SECRETARY TO THE GOVERNMENT OF INDIA, LEGISLATIVE DEPARTMENT.

78534

NORTHERN INDIA,

COMPRISING

THE NATIVE STATES IN BENGAL, ASSAM, BURMA, THE NORTH-WESTERN PROVINCES AND THE PANJAB, THE NATIVE STATES OF KASHMIR AND NEPAL, AND THE NATIVE STATES IN BALUCHISTAN.

[CORRECTED UP TO THE 20TH MAY, 1891.]

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PREFACE.

THIS, the Northern India Volume of the Lists of British Enactments in force in Native States in India,(1) contains all the information I have been able to collect concerning the British Enactments in force in the Native States in Bengal, Assam, Burma, the North-Western Provinces and the Panjab, the Native States of Kashmir and Nepal and the Native States in Baluchistan.

2. The term "British Enactments," as used in this volume, includes—

(I) the Enactments made by the British Legislature in exercise of the general jurisdiction which it possesses over its subjects and servants in all Native States, and

(II) the Enactments made by or under the authority of the British Indian Executive Government in exercise of the special jurisdiction which it has acquired, usually over all persons, in certain Native States or places therein.

3. (2)The distinction between these two classes of Enactments has been observed in classifying the British Enactments in force in the Native States dealt with in this volume, the Enactments in force in each local area having been placed under separate heads according as they belong to one or other of these classes. Enactments which purport to be solely made under the authority of the Legislature, or which appear to be limited to the classes of persons with which the Legislature can deal, have been arranged under one head and styled "British-Indian Enactments;" whilst Enactments which purport to be made, in whole or in part, under the special authority of the Executive Government above described, or which do not appear to be limited to the classes of persons with which the Legislature can deal, have been arranged under a different head, having as its title the name of the particular place for which the Enactments have been made with the word "British" prefixed(3). Broadly speaking, the "British-Indian Enactments" are personal laws applicable only to British subjects or servants, whilst the other Enactments are territorial laws applicable to all persons in the particular places to which they respectively refer.

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(1) *i. e.*, the territories of any Native Prince or Chief under the suzerainty of Her Majesty exercised through the Governor General of India, or through any Governor or other officer subordinate to the Governor General of India—*see* 52 and 53 Vict., cap. 63, s. 18 (*5*).

(2) There are certain exceptions to the general rules laid down in this paragraph which are noticed in the body of the Lists.

(3) Thus, *e.g.*, the Enactments made by the Governor General in Executive Council for Kasumpti (*see infra*, Part VI, chap. III), in exercise of the special jurisdiction acquired therein are styled "British-Kasumpti Enactments," and similarly in other cases.

4. The minor classification under each of these heads is identical, the Enactments being arranged, as far as possible, in separate lists, as they are of the nature of—

(1) Principal, or direct Enactments of the Legislature or of the Executive Government, or

(2) Subordinate Enactments[1] made in exercise of powers conferred in this behalf by Principal Enactments.

The Principal Enactments are further sub-divided respectively into—

(*a*) Statutes, and (*b*) Acts of the Governor General in Council, and

(*a*) Enactments of the British-Indian Legislatures applied, and (*b*) Special Laws.

5. "Special Laws" are new laws made by the Executive Government for places in which it has acquired special jurisdiction, while "Enactments of the British-Indian Legislatures applied" are, as their title indicates, existing British-Indian Enactments which have, by order of the Executive Government, been adopted, usually with certain modifications, as laws in such places. Though there is no material distinction between these two kinds of Enactments, it has been found convenient to arrange them in separate groups in this volume.

6. A general classification of the British Enactments which may be made for the Native States in India, and a detailed classification of the various British Enactments actually in force in the Native States dealt with in this volume, which have been prepared in accordance with the above remarks, will be found in Statements Nos. I and II, prefixed to this volume (pages ix and xi).

7. The Enactments which the various Native States may have made for their respective territories are beyond the scope of this work.

8. For the convenience of local officers, this volume contains (*see* Part I) the British Enactments in force generally in all Native States in India, as well as the Enactments in force locally in the particular Native States with which it deals.

9. Numerous references to Aitchison's Treaties have been inserted, which will, it is hoped, add to the usefulness of these Lists. The revised edition of 1876 is the one referred to.

10. A short alphabetical index of names of places has been appended for convenience of reference.

11. In compiling the volume—

(*a*) Rules and Orders of a temporary nature or conferring powers on persons by name have, as a rule, been omitted; and

(*b*) Special Laws and Subordinate Enactments, which are not to be found in the Codes published by the Legislative Department, have, as a rule, been set out *in extenso*.

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[1] Strictly speaking, *all* the Enactments of the Legislatures established in this country are Subordinate Enactments, inasmuch as the Indian Legislatures derive their authority solely from Parliamentary Enactments; but, for the purposes of these Lists, Acts of the Governor General in Council are classified as on the same footing with Statutes.

12. Mr. G. R. Ridge of the Legislative Department office has assisted me in the preparation of these Lists, and Mr. F. G. Wigley, the Officiating Under-Secretary, has kindly undertaken to supervise the passing of the final proofs through the Press and the insertion of such Enactments as may be issued after this date.

13. Lastly, it must be stated that this volume is not authoritative, and that the Government of India is in no way responsible for its contents. It has been compiled by me from the official Gazettes, supplemented by local information obtained through the Foreign Department. Though I have made it as complete and accurate as was possible, having regard to the materials at my disposal and the limited time which I have been at liberty to devote to the work, I am fully conscious of its many defects. At the same time I hope that, notwithstanding its imperfections, the volume will be found to be of some practical value to Political Officers and others desirous of obtaining information concerning the British Enactments in force in the Native States of Northern India.

SIMLA, J. M. MACPHERSON.

The 27th October 1890.

Note.—Any corrections or suggestions for the improvement of these Lists will be gratefully received by the compiler at the address of the Office of the Legislative Department of the Government of India.

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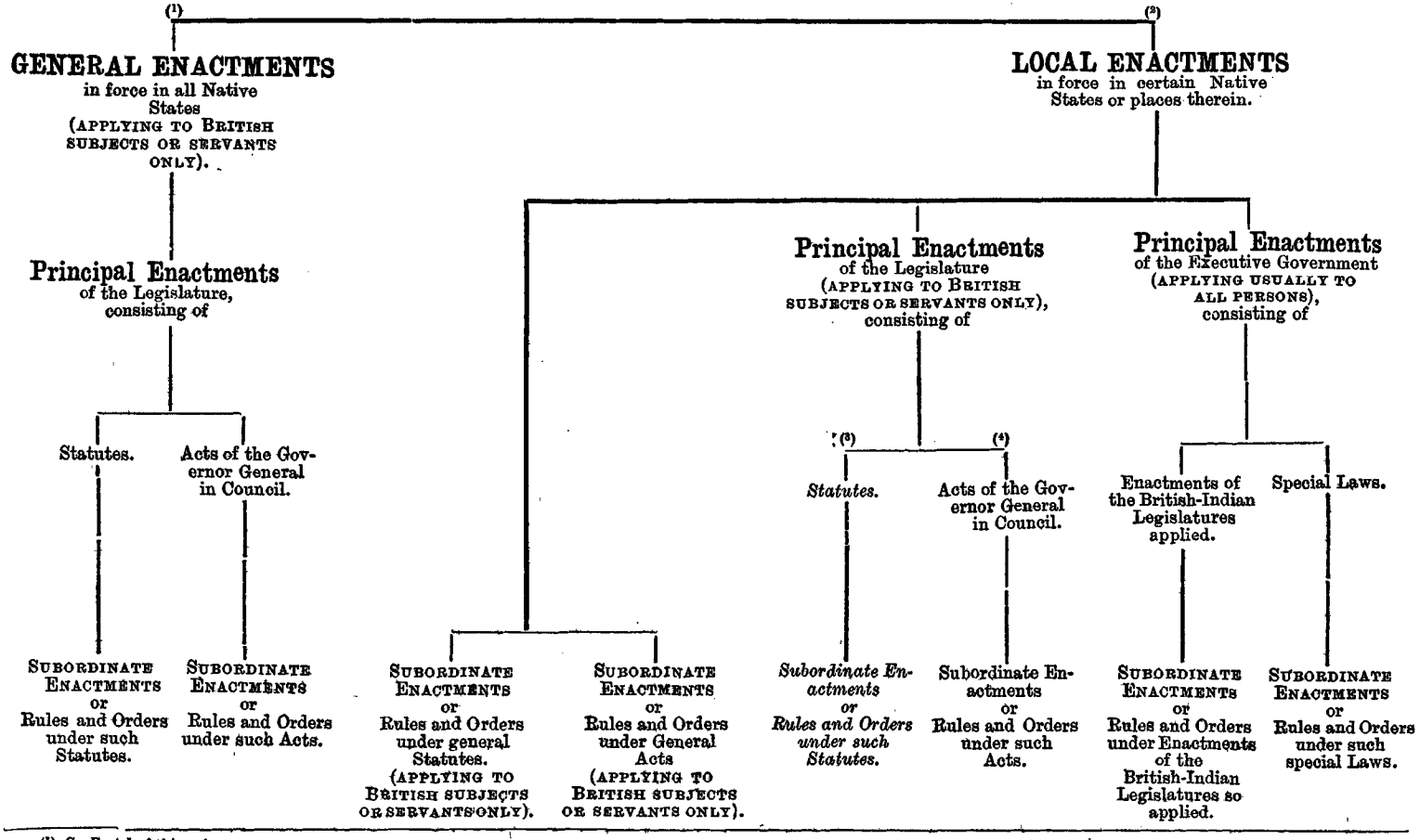
STATEMENT I.

General Classification of the British Enactments which may be made for the Native States in India.


(1)
(2)
GENERAL ENACTMENTS
in force in all Native States
(APPLYING TO BRITISH SUBJECTS OR SERVANTS ONLY).
LOCAL ENACTMENTS
in force in certain Native States or places therein.
Principal Enactments
of the Legislature, consisting of
Statutes.
Acts of the Governor General in Council.
SUBORDINATE ENACTMENTS or Rules and Orders under such Statutes.
SUBORDINATE ENACTMENTS or Rules and Orders under such Acts.
SUBORDINATE ENACTMENTS or Rules and Orders under general Statutes. (APPLYING TO BRITISH SUBJECTS OR SERVANTS ONLY).
SUBORDINATE ENACTMENTS or Rules and Orders under General Acts (APPLYING TO BRITISH SUBJECTS OR SERVANTS ONLY).
Principal Enactments
of the Legislature (APPLYING TO BRITISH SUBJECTS OR SERVANTS ONLY), consisting of
(3)
(4)
Statutes.
Acts of the Governor General in Council.
Subordinate Enactments or Rules and Orders under such Statutes.
Subordinate Enactments or Rules and Orders under such Acts.
Principal Enactments
of the Executive Government (APPLYING USUALLY TO ALL PERSONS), consisting of
Enactments of the British-Indian Legislatures applied.
Special Laws.
SUBORDINATE ENACTMENTS or Rules and Orders under Enactments of the British-Indian Legislatures so applied.
SUBORDINATE ENACTMENTS or Rules and Orders under such special Laws.

(1) *See* Part I of this volume.
(2) *See* Parts II to IX of this volume.
(3) Enactments of these classes have never, so far as is known, yet been made.
(4) The only enactments of this class which, so far as is known, have ever been made are the Sindh-Pishin Railway Act, XI of 1887, and the rules and orders issued thereunder. These would seem, however, to have become obsolete, since the application of the Act to the Baluchistan Agency territories by the Baluchistan Agency Laws Law, 1890, and the issue of new rules and orders under the Act as so applied.

STATEMENT No. 2.

PARTICULAR CLASSIFICATION OF THE BRITISH ENACTMENTS ACTUALLY IN FORCE IN THE NATIVE STATES DEALT WITH IN THIS VOLUME.

I.—British Enactments in force generally in all Native States in India.	I.—BRITISH ENACTMENTS IN FORCE GENERALLY IN ALL NATIVE STATES IN INDIA. *British Indian Enactments—* (1) Statutes. (2) Acts of the Governor General in Council. (3) Rules and Orders. (*a*) under Statutes in force generally in all Native States in India; (*b*) under Acts of the Governor General in Council in force generally in all Native States in India.
II.—British Enactments in force locally in—	II.—BRITISH ENACTMENTS IN FORCE LOCALLY IN THE NATIVE STATES DEALT WITH IN THIS VOLUME OR IN PLACES THEREIN.
1.—The Bengal Native States—	1.—The Bengal Native States[1]—
(1) Cooch Behar	(1) Cooch Behar. *British-Indian Enactment—* Local Order under an Act in force generally in all Native States in India.
(2) Tributary Mahals of Orissa.	(2) The Tributary Mahals of Orissa. *British-Indian Enactment—* Local Order under an Act in force generally in all Native States in India.
(3) Tributary Mahals of Chutiá Nagpur.	(3) The Tributary Mahals of Chutiá-Nagpur. *British-Indian Enactment—* Local Order under an Act in force generally in all Native States in India.
(4) Bengal-Nagpur Railway.	(4) Bengal-Nagpur Railway. *British-Bengal-Nagpur Railway Enactments—* 1.—Local Laws made by the Governor General in Council— (*a*) Acts of the Governor General in Council locally applied. (*b*) Special Local Laws. 2.—Local Rules and Orders under Acts of the Governor General in Council locally applied.
2.—Assam Native States—	2.—Assam Native States[2]—
(1) Khási Hills	(1) Khási Hills. *British-Indian Enactment—* Local Order under an Act in force generally in all Native States in India.

[1] The States of Hill Tipperah, Sikkim and Bhutan have been omitted from this Statement as there are no British Enactments in force locally in them.

[2] The territories of the North-Eastern Frontier tribes and the Burma Nativ States have been omitted from this Statement as there are no British Enactments in force locally in them.

STATEMENT No. 2—*continued.*

II.—BRITISH ENACTMENTS IN FORCE LOCALLY IN—	II.—BRITISH ENACTMENTS IN FORCE LOCALLY IN THE NATIVE STATES DEALT WITH IN THIS VOLUME OR IN PLACES THEREIN—*continued.*
2.—Assam Native States—*continued.*	**2.—Assam Native States**—*continued.*
(2) MANIPUR . .	(2) MANIPUR. *A.—British-Indian Enactment—* Local Order under an Act in force generally in all Native States in India. *B.—British-Manipur Enactments—* Local Laws made by the Governor General in Council. (*a*) Acts of the Governor General in Council locally applied. (*b*) Special Local Laws.
3.—North-Western Provinces Native States.	**3.—North-Western Provinces Native States.**
RAMPUR AND GARHWAL OR TEHRI.	RAMPUR AND GARHWAL OR TEHRI. *British-Indian Enactments—* Local Rules and Orders under Acts in force generally in all Native States in India.
4.—Punjab Native States.	**4.—Punjab Native States**[1].
(1) KAPURTHALA AND CHAMBA.	(1) KAPURTHALA AND CHAMBA (TRANS-SUTLEJ STATES). *British-Indian Enactments—* Local Orders under an Act in force generally in all Native States in India.
(2) HEAD-WORKS OF THE BHAWALWAH-LODRAN CANAL.	(2) HEAD-WORKS OF THE BHAWALWAH-LODRAN CANAL (BHAWALPUR). *British-Bhawalwah-Lodran Canal Enactments—* Local Laws made by the Governor General in Council— (*a*) Act of the Governor General in Council locally applied. (*b*) Special Local Laws.
(3) KASUMPTI . .	(3) KASUMPTI (KEONTHAL, HILL STATE). *British-Kasumpti Enactments—* Local Laws made by the Governor General in Council— (*a*) Act of the Governor General in Council locally applied. (*b*) Special Local Laws.
(4) THE KHAIBAR PASS.	(4) THE KHAIBAR PASS. A.—*British-Indian Enactment—* Local Order under an Act in force generally in all Native States in India. *B.—British-Khaibar Pass Enactments—* Special Local Laws made by the Governor General in Council.
(5) DERA GHAZI KHAN FRONTIER TRACTS.	(5) DERA GHAZI KHAN FRONTIER TRACTS. *A.—British-Indian Enactment—* Local Order under an Act in force generally in all Native States in India. *B.—British-Dera Ghazi Khan Frontier Tracts Enactments—* Special Local Law made by the Governor General in Council.

[1] The Delhi States, the Cis-Sutlej States, the Panjab Hill States, the Trans-Sutlej States (excepting Kapurthala and Chamba), the State of Bhawalpur and the territories of the tribes on the North-Western Frontier have been omitted from this Statement as there are no British Enactments in force locally in them.

STATEMENT No. 2—*continued.*

II.—BRITISH ENACTMENTS IN FORCE LOCALLY IN—	II.—BRITISH ENACTMENTS IN FORCE LOCALLY IN THE NATIVE STATES DEALT WITH IN THIS VOLUME OR IN PLACES THEREIN—*continued.*
4.—Punjab Native States—*continued.*	**4.—Punjab Native States**—*continued.*
(6) DELHI-UMBALLA-KALKA RAILWAY.	(6) DELHI-UMBALLA-KALKA RAILWAY (KALSIA AND PATIALA SECTIONS). *British-Delhi-Umballa-Kalka Railway Enactments*— 1.—Local Laws made by the Governor General in Council— (*a*) Acts of the Governor General in Council locally applied. (*b*) Special Local Laws. 2. Local Orders under an Act of the Governor General in Council locally applied.
(7) NORTH-WESTERN RAILWAY.	(7) NORTH-WESTERN RAILWAY (PATIALA, NABHA AND KAPURTHALA SECTIONS). *British-North-Western Railway (Panjab States) Enactments*— 1.—Local Laws made by the Governor General in Council— (*a*) Acts of the Governor General in Council locally applied. (*b*) Special Local Laws. 2.—Local Orders under an Act of the Governor General in Council locally applied.
(8) RAJPUTANA-MALWA RAILWAY.	(8) RAJPUTANA-MALWA RAILWAY— (*1*) Rajputana State Railway (Nabha and Pataudi Sections). *British-Rajputana State Railway (Panjab States) Enactments*— 1.—Local Laws made by the Governor General in Council— (*a*) Acts of the Governor General in Council locally applied. (*b*) Special Local Laws. 2.—Local Rules and Orders under Acts of the Governor General in Council locally applied. (*2*) Rewari-Ferozepore Railway (Dujana, Faridkot, Jhind, Patiala and Nabha Sections). *British-Rewari-Ferozepore Railway (Panjab States) Enactments*— 1.—Local Laws made by the Governor General in Council— (*a*) Acts of the Governor General in Council locally applied. (*b*) Special Local Laws. 2.—Local Rules and Orders under Acts of the Governor General in Council locally applied.
5.—Jammu and Kashmir.	**5.—Jammu and Kashmir.** *British-Indian Enactments*— Local Rules and Orders under Acts in force generally in all Native States in India. *British-Jammu and Kashmir Enactments*— Acts of the Governor General in Council locally applied for the purposes of cases in which the Governor General in Council has jurisdiction.
(1) THE JAMMU AND KASHMIR RAILWAY.	(1) THE JAMMU AND KASHMIR RAILWAY. *British-Jammu and Kashmir Railway Enactments*— 1.—Local Laws made by the Governor General in Council— (*a*) Acts of the Governor General in Council locally applied. (*b*) Special Local Laws. 2.—Local Rules and Orders under Acts of the Governor General in Council locally applied.

STATEMENT No. 2—*concluded.*

II.—BRITISH ENACTMENTS IN FORCE LOCALLY IN—	II.—BRITISH ENACTMENTS IN FORCE LOCALLY IN THE NATIVE STATES DEALT WITH IN THIS VOLUME OR IN PLACES THEREIN—*concluded.*
6.—Nepal . . .	**6.—Nepal.**
	British-Indian Enactment-
	Local Order under an Act in force generally in all Native States in India.
7.—Baluchistan	**7.—Baluchistan.**
(1) KALAT . .	(1) KALAT.
	British-Indian Enactments—
	Local Rules and Orders—
	(*a*) under a Statute in force generally in all Native States in India.
	(*b*) under Acts in force generally in all Native States in India.
(2) BALUCHISTAN AGENCY TERRITORIES.	(2) BALUCHISTAN AGENCY TERRITORIES.
	A.—British-Indian Enactments—
	1.—Act of the Governor General in Council.
	2.—Local Rules and Orders—
	(*a*) under a Statute in force generally in all Native States in India;
	(*b*) under Acts in force generally in all Native States in India.
	B.—British-Baluchistan Agency Territories Enactments—
	1.—Local Laws made by the Governor General in Council—
	(*a*) Enactments of the British-Indian Legislatures locally applied.
	(i) Bengal Regulations.
	(ii) Acts of the Governor General in Council.
	(iii) Regulations under 33 Vict., cap. 3.
	(*b*) Special Local Laws.
	2.—Local Rules and Orders—
	(*a*) under Acts of the Governor General in Council locally applied;
	(*b*) under Special Local Laws.

PART I.—THE BRITISH ENACTMENTS IN FORCE GENERALLY IN ALL NATIVE STATES IN INDIA.

PART I.—ALL NATIVE STATES IN INDIA.

The British Enactments in force generally in all Native States in India consist of—

British-Indian Enactments, namely—

1. Statutes.
2. Acts of the Governor General in Council.
3. Rules and Orders—
   (a) under Statutes in force generally in all Native States in India;
   (b) under Acts of the Governor General in Council in force generally in all Native States in India.

ALL NATIVE STATES IN INDIA.

British-Indian Enactments.

1.–STATUTES.(1)

Year.	Reign.	Chapter.	Subject.	Extent of application.
1833	3 & 4 Will. IV.	85	Government of India	Section 73 empowers the Governor General in Council to make Articles of War for the government of Native officers and soldiers in the Military Service of Her Majesty, and for the administration of justice by Courts-martial to be holden over such officers and soldiers; such articles to prevail and be in force wheresoever such officers and soldiers may be serving.
1861	24 & 25 Vict.	67	Indian Councils Act	Section 22 empowers the Governor General in Council to make laws and regulations for all servants of the Government of India within the dominions of Princes and States in alliance with Her Majesty.
1865	28 Vict.	15	High Courts' jurisdiction .	Section 3 empowers the Governor General in Council to authorize and empower High Courts to exercise jurisdiction in respect of Christian subjects of Her Majesty resident within the dominions of such of the Princes and States of India in alliance with Her Majesty as he may from time to time determine.
		17	Legislative powers of Governor General in Council.	Section 1 empowers the Governor General in Council to make laws and regulations for all British subjects of Her Majesty within the dominions of Princes and States in India in alliance with Her Majesty, whether in the service of the Government of India or otherwise.
1869	32 & 33 Vict.	98	Ditto . . .	Section 1 empowers the Governor General in Council to make laws and regulations for Native Indian subjects of Her Majesty without and beyond as well as within the Indian territories under the dominion of Her Majesty.

(1) Many of the Statutes in this list only confer power on the Governor General in Council to make laws for British subjects in Native States, and do not prescribe such laws themselves, but it is convenient to include them under this head.

British-Indian Enactments.

1.–STATUTES—*concluded.*

Year.	Reign.	Chapter.	Subject.	Extent of application.
1876	39 & 40 Vict.	46	Slave Trade . . .	Provides[1] (section 1) for the punishment of offences against slave trade law committed by British subjects and subjects of allied Native States in such places in Asia and Africa as Her Majesty may specify by order[2]; confers (section 3) certain powers on High Courts in India in regard to obtaining evidence in such allied Native States of the commission of such offences, and extends (section 4) the provisions of the Muscat Order in Council, 1867, to the subjects of allied Native States residing in Muscat territories.
1881	44 & 45 Vict.	58	Army (as continued and amended for the time being by subsequent Acts).	Purports to apply generally to Her Majesty's Forces wherever serving, and particularly when serving in India, which term is defined to mean "British-India, together with any territories of any Native Prince or Chief under the suzerainty of Her Majesty, exercised through the Governor General of India, or through any Governor or other officer subordinate to the Governor General of India." [See section 180 and section 190, clause (21), as amended by the Army (Annual) Act, 1890].
1884	47 & 48 Vict.	38	Indian Marine Service .	Empowers the Governor General in Council to make laws for all persons employed or serving in, or belonging to, Her Majesty's Indian Marine Service, provided that no such law shall apply to any offence unless the vessel to which the offender belongs is at the time of the commission of the offence on the High Seas between the Cape of Good Hope on the west and the Straits of Magellan on the east, or on territorial waters between those limits.
1889	52 & 53 Vict.	52	Official Secrets . .	Applies[3] to all acts made offences by the Act when committed by British officers or subjects beyond as well as within Her Majesty's dominions [see section 6 (*1*)].
"	"	63	Interpretation . .	Defines the expression "India" as meaning British India, together with any territories of any Native Prince or Chief under the suzerainty of Her Majesty, exercised through the Governor General of India, or through any Governor or other officer subordinate to the Governor General of India [see section 18 (*5*)].

(1) Only so much of this Statute as appears to have reference to Native States in India or the subjects of such States is here quoted.

(2) For Order under the section, see *Gazette of India*, 1877, Pt. I, p. 381.

(3) Has practically been superseded, so far as India is concerned, by Act XV of 1889, noted *infra*, p. 8.

British-Indian Enactments.

2.—ACTS OF THE GOVERNOR GENERAL IN COUNCIL.

[The general powers of the Council of the Governor General to legislate for persons beyond the limits of British India rest on the following Statutes, namely, 24 & 25 Vict., c. 67, s. 22; 28 Vict., c. 17, s. 1; and 32 & 33 Vict., c. 98, s. 1. Under them the Council may make Laws and Regulations for—

(*a*) servants of the Government in allied Native States (24 & 25 Vict., c. 67, s. 22);
(*b*) European-British subjects in allied Native States (28 Vict., c. 17, s. 1); and
(*c*) Native Indian subjects anywhere (32 & 33 Vict., c. 98, s. 1).

In addition to these general powers, the Governor General in Council is invested with special power—

(*a*) under the Statute 3 & 4 Will. IV, c. 85, s. 73 (saved by 24 & 25 Vict., c. 67, s. 22), to make Articles of War for Her Majesty's Indian Army wheresoever serving; and

(*b*) under the Statute 47 & 48 Vict., c. 38, to make laws for all persons employed or serving in or belonging to Her Majesty's Indian Marine Service whose vessels are within the limits of "Indian Waters" as defined in the Statute.]

Year.	No.	Subject.	Extent of application.
1860	XLV	Penal Code (as amended by Acts XXVII of 1870, XIX of 1872, VIII of 1882 and X of 1886).	Applies generally to persons liable by any law passed by the Governor General in Council to be tried for an offence committed beyond the limits of British India; and to servants of the Queen committing offences within the dominions of Princes or States in alliance with Her Majesty (see sections 3 and 4).
1866	XIV	Post Office . . .	Provides for punishment of post-office servants committing offences within the dominions of Foreign Princes and States in India in alliance with Her Majesty (see section 59).
1868	I	General Clauses . .	Applies to all Acts of the Governor General in Council made after this Act came into operation, and therefore to such Acts when they extend to Native States.
1869	IV[1]	Divorce	Applies generally to British subjects within the dominions of Princes and States in India in alliance with Her Majesty (see section 2).
„	V[2]	Indian Articles of War .	Purports to apply generally to officers, soldiers and followers of Her Majesty's Indian Forces in all parts of the world, and therefore in Native States in India (see Articles 74, 77, 90, 99, 142, 171 & 174).
„	XX	Volunteers . . .	Applies generally to British subjects within the dominions of Native Princes and States in alliance with Her Majesty (see section 2).
1872	XV	Christian Marriage (as amended by Act II of 1891).	Applies generally to Christian subjects of Her Majesty within the territories of Native Princes and States in alliance with Her Majesty (see section 1).
1873	X	Oaths	Applies generally to subjects of Her Majesty within the territories of Native Princes and States in alliance with Her Majesty (see section 1).

[1] See in connection with the application of Act IV of 1869 to British subjects in Native States, Thomson v. Thomson, I. L. R., 10 Bom. 422.

[2] For power to make these Articles, see 3 & 4 Will. IV, c. 85, noted *supra*, p. 4.

British-Indian Enactments.

2.–ACTS OF THE GOVERNOR GENERAL IN COUNCIL—*continued.*

Year.	No.	Subject.	Extent of application.
1873	XIV	Military Lunatics' Property.	Applies generally to subjects of Her Majesty within the dominions of Native Princes and States in India in alliance with Her Majesty (see section 1).
1874	II	Administrator General (as amended by Acts IX of 1881 and II of 1890).	Applies generally to British subjects of Her Majesty within the dominions of Princes and States in India in alliance with Her Majesty (see section 1).
,,	III	Married Women's Property.	Applies generally to subjects of Her Majesty within the dominions of Princes and States in India in alliance with Her Majesty (see section 2).
,,	IX	European Vagrancy .	Extends generally to the dominions of Princes and States in India in alliance with Her Majesty (see section 1).(1)
1875	IX	Majority . . .	Applies generally to subjects of Her Majesty within the dominions of Princes and States in India in alliance with Her Majesty (see section 1).
1877	XI	Military Lunatics . .	Applies generally to subjects of Her Majesty within the dominions of Native Princes and States in India in alliance with Her Majesty (see section 1).
1879	XXI	Foreign Jurisdiction and Extradition.	Extends generally to— (1) all Native Indian subjects of Her Majesty beyond the limits of British India; and (2) all European-British subjects within the dominions of Princes and States in India in alliance with Her Majesty (see section 1).
1885	XIII	Telegraphs . . .	Applies generally to subjects of Her Majesty within the dominions of Princes and States in India in alliance with Her Majesty (see section 1).
1886	II	License-tax amendment .	Applies generally within the dominions of Princes and States in India in alliance with Her Majesty to British subjects in those dominions who are in the service of the Government of India, or of a local authority established in the exercise of the powers of the Governor General in Council in that behalf (see section 1).
,,	VI	Births, Deaths and Marriages Registration (as amended by Act XVI of 1890).	Applies generally to British subjects in the dominions of Princes and States in India in alliance with Her Majesty (see section 2).

(1) But sections 4 to 16 (inclusive), 19, 20, 24 & 29 do not come into force in any of the dominions of the Princes and States in India in alliance with Her Majesty not situate within the limits of any Presidency, Lieutenant-Governorship or Chief Commissionership in British India until such day or respective days as the Governor General in Council by notification in the *Gazette of India* appoints in this behalf—see section 1, last paragraph.

Sections 4 to 9 (inclusive), 19, 20, 24 and 29 were declared to come into force in the Hyderabad State from the 31st July, 1890, by Notification No. 2513-I., dated the 2nd August, 1890—see *Gazette of India*, 1890, Pt. I, p. 597.

Sections 4 to 16 (inclusive), 19, 20, 24 & 29 of Act XXI of 1869 (European Vagrancy) were extended to the dominions of Princes and States in alliance with Her Majesty situated within the limits of the Panjab by Notification No. 900, dated the 22nd February, 1872—see *Gazette of India*, 1872, Pt. I, p. 188, and *Panjab Government Gazette*, 1872, p. 274. Under section 2 of Act IX of 1874 this Notification is continued in force, and should now be read as referring to ss. 4 to 16, 19, 20, 24 & 29 of that Act.

ALL NATIVE STATES IN INDIA.

British-Indian Enactments.

2.—ACTS OF THE GOVERNOR GENERAL IN COUNCIL—*concluded.*

Year.	No.	Subject.	Extent of application.
1887	I	General Clauses . .	Part I applies to all Acts made by the Governor General in Council under the Indian Councils Act, 1861, after the passing of this Act (see section 2), and therefore to such Acts when they extend to Native States.
„	X	Native Passenger Ships .	Applies generally— (*a*) to all subjects of Her Majesty within the dominions of Princes and States in India in alliance with Her Majesty; (*b*) to all Native Indian subjects of Her Majesty without and beyond British India; and (*c*) subject to certain exceptions, to vessels carrying more than thirty passengers, being natives of Asia or Africa (see section 2).
„	XIV(1)	Indian Marine (as amended by Act XVII of 1888).	Applies generally to persons employed or serving in or belonging to the Indian Marine whose vessels are within the limits of Indian waters, as defined by 47 & 48 Vict., c. 38.
1888	IV	Reserve Forces . .	Purports to subject persons belonging to Indian Reserve Forces to military law in the same manner, and to the same extent, as persons belonging to Her Majesty's Indian Forces (*i.e.*, when serving in Native States as well as elsewhere—see entries opposite 44 & 45 Vict., c. 58, and Act V of 1869, *supra*, pp. 5 and 6 respectively).
1889	XV	Official Secrets . .	Applies— (*a*) to all subjects of Her Majesty within the dominions of Princes and States in India in alliance with Her Majesty [see section 1 (*2*) (*a*)]; and (*b*) to all Native Indian subjects of Her Majesty without and beyond British India [see section 1 (*2*)(*b*)].
1890	IX	Railways . . .	Applies to all subjects of Her Majesty within the dominions of Princes and States in India in alliance with Her Majesty and to all Native subjects of Her Majesty without and beyond British India and those dominions [see section 1 (*2*)].

(1) For power to enact Act XIV of 1887, see 47 & 48 Vict., c. 38, noted *supra*, p. 5.

British-Indian Enactments.

3.–Rules and Orders—(1)

(a) under Statutes in force generally in all Native States in India.

Year.	Reign.	Chapter.	Section.	Subject.	Notification.
1865	28 & 29 Vict.	15	3	Defining the Native States, territories and Chiefships in which the High Courts at Fort William, Madras and Bombay, and in the North-Western Provinces shall respectively exercise criminal jurisdiction over European-British subjects of Her Majesty, being Christians resident therein.	*No. 178-J., dated the 23rd September, 1874* (printed *infra*, p. 12).

(1) It is somewhat doubtful whether there are any Rules and Orders which are in force generally in *all* Native States without exception, but all the Rules and Orders entered in this Part were either intended to have such general force or are so very widely in force as to make it convenient to include them here.

ALL NATIVE STATES IN INDIA.

British-Indian Enactments.

3.–RULES AND ORDERS—

(b) under Acts of the Governor General in Council in force generally in all Native States in India.

Year.	No.	Subject of Act.	Section.	Subject of Rules or Notification.	Notification.
1872	XV	Christian Marriage	62 & 84	Fixing fees and making rules so far as regards Native States in alliance with Her Majesty, except States situate within the Presidencies of Fort Saint George and Bombay.	*No. 2220, dated the 16th October, 1873* (printed *infra*, p. 12).
1874	II	Administrator General.	3	Determining the dominions of Princes and States in India in alliance with Her Majesty which shall, for the purposes of the Act, be included in the Presidencies of Bengal, Madras and Bombay respectively.	*No. 101-J., dated the 19th July, 1878* (printed *infra*, p. 13).
1879	XXI	Foreign Jurisdiction and Extradition.	6	Directing commitments of European British subjects, being Christians and resident in Native States, to the various High Courts mentioned in Notification No. 178-J., dated the 23rd September, 1874.	*No. 2616-I., dated the 16th August, 1890* (printed *infra*, p. 12).
,,	,,	Ditto . .	13 & 18	Prescribing Rules as to issue of warrants and treatment of prisoners.	*No. 31-J., dated the 12th March, 1875*(1) (printed *infra*, p. 14).
,,	,,	Ditto . .	,,	Excluding Native territory under the direct administration of the British Government in which the Code of Criminal Procedure (Act X of 1872(2) is in force from the preceding Notification.	*No. 149-J., dated the 8th October, 1875*(1) (printed *infra*, p. 15).
,,	,,	Ditto . .	,,	Substituting new rule for No. 5 of the rules published with Notification No. 31-J., dated 12th March, 1875.	*No. 87-J., dated the 16th August, 1876*(1) (printed *infra*, p. 16).

(1) These Notifications were issued when Act XI of 1872 was in force.
(2) Repealed in British India by Act X of 1882.

British-Indian Enactments.

3.–RULES AND ORDERS—

(b) under Acts of the Governor General in Council in force generally in all Native States in India—*concluded.*

Year.	No.	Subject of Act.	Section.	Subject of Rules or Notification.	Notification.
1886	II	License-tax amendment.	40	Investing certain Political officers in Native States with the powers of Collectors under the Act, for the purpose of granting certificates in respect of interest on Government securities held by persons outside British India.	*No. 4135-I., dated the 16th September, 1887* (printed *infra*, p. 16).
„	„	Ditto . .	„	Amending the preceding Notification.	*No. 1269-I., dated the 22nd March, 1889, and No. 1479E., dated the 17th July, 1890.* [Embodied in Notification No. 4135-I. (printed *infra*, p. 16).

APPENDIX A.

Orders as to jurisdiction of High Courts over European British subjects in Native States.

No. 178-J., dated the 23rd September, 1874.—With reference to Notification No. 1203,[1] of this date, in the Home Department, the Governor General in Council is pleased, in the exercise of the powers conferred by the 28th Vict., cap. 15, section 3, to make the following orders:—

Original and appellate criminal jurisdiction over European British subjects of Her Majesty, being Christians, resident in the Native States, territories, and Chiefships below named, shall, until the Governor General in Council otherwise orders, be exercised by the High Courts of Judicature established at Fort William, Madras, Bombay, and in the North-Western Provinces, respectively, as follows[2]:—

I.—BY THE HIGH COURT AT FORT WILLIAM IN—

Manipur.
Cooch Behar.
The States in the Khási Hills.
The Cuttack Tributary Mahals.
The Tributary Mahals of Chutiá Nagpur.
Sikkim.
Bhutan.
Hill Tipperah.
Nepal.
The territories of Chiefs or Tribes adjoining the Bengal Frontier
* * *

IV.—BY THE HIGH COURT OF THE NORTH-WESTERN PROVINCES IN—

* * *
Garhwal.
Rampur.
* * *

[See *Gazette of India*, 1874, Pt. I, p. 485.]

No. 2616-J., dated the 16th August, 1890.—In exercise of the powers conferred by section 6 of Act XXI of 1879, the Governor General in Council is pleased to direct that a Justice of the Peace in any Native State, territory or Chiefship specified in Foreign Department Notification No. 178-J., dated the 23rd September, 1874, shall commit for trial to the High Court which, under that Notification, has original and appellate criminal jurisdiction in pursuance of the Statute 28 and 29 Vict., cap. 15, section 3, over European British subjects (being Christians) resident in such State, territory or Chiefship.

2. Foreign Department Notification No. 179-J., dated the 23rd September, 1874, is hereby cancelled.

[See *Gazette of India*, 1890, Pt. I, p. 612.]

Rules and orders under sections 84 and 62 of the Christian Marriage Act, XV of 1872.

No. 2220, dated the 16th October, 1873.—So far as regards Native States in alliance with Her Majesty, except Native States situate within the local limits of the Presidencies of Fort St. George and Bombay,[3] the Governor General in Council, in exercise of the powers conferred by sections 84 and 62 of the Indian Christian Marriage Act, 1872 (Act XV of 1872), hereby fixes the following scale of fees to be charged under the aforesaid Act, and makes the following rules in regard to the disposal of such fees, the supply of register-books, and the preparation and submission of returns of marriages

[1] Under this Notification certain districts in British India were placed under the several High Courts in British India for the purposes of jurisdiction over European British subjects.

[2] Owing to the great length of the list of Native States appended to this Notification, only the portions relating to the States in Northern India have been set out.

[3] The Notification does not apply to the State of Mysore either (see p. 41 of the Southern India volume of these Lists). It is not therefore, strictly speaking, a general Notification, but as it applies to the greater number of the Native States in India, it seems convenient to treat it as if it were general.

Rules and orders under sections 84 and 62 of the Christian Marriage Act, XV of 1872—continued.

solemnized under the aforesaid Act, and the form of the register-book of marriages certified under Part VI of the same Act:—

I.—Scale of Fees.

	Rs.	A.	P.
1.—For receiving each notice of marriage	1	0	0
2.—For publishing each notice of marriage	2	0	0
3.—For the issuing of each certificate of marriage by a Marriage Registrar	3	0	0
4.—For registering each marriage by a Marriage Registrar	2	0	0
5.—For entering each protest against, or prohibition of the issue of, a marriage certificate by a Marriage Registrar	10	0	0
6.—For searching marriage register-books, or certificates or duplicates or copies thereof for a period of not more than one year, or, in the case of a search of the register-books or certificates prescribed under sections 37, 61 and 62, for a period of not more than two years	1	0	0
7.—For every additional year	0	4	0
8.—For granting a copy of any entry in marriage register-books, or certificates or duplicates or copies thereof under sections 63 and 79	1	0	0

II.—Rules.

I.—Fees levied by Marriage Registrars must, until further notice, be paid into the Government Treasury, and shall be credited to provincial services, or in such other manner as may be directed by the Government of India.

II.—Marriage Registrars are authorized to remit any portion, not exceeding three-fourths, of the fees in cases where they may consider the parties unable to pay such fees in full.

III.—The register-book prescribed in section 62 shall be kept in the form given in the fourth schedule of the Indian Christian Marriage Act, 1872.

IV.—The headings of the register-books prescribed in section 62 should be in the language of the district in which the register is kept, with an English translation, but so much of it as has to be filled in by the hand of the person performing the ceremony must be in his own vernacular language.

V.—Applications for supply of register-books and of forms of certificate should be forwarded for the sanction of the Local Government, the Agent to the Governor General, or other Chief Civil or Political authority having, in immediate subordination to the Government of India, the control of the relations with the Native State in which the marriage is solemnized.

[See *Gazette of India*, 1873, Part I, page 902.]

Orders under the Administrator General's Act, II of 1874, as to Presidencies within which Native States should be included for purposes of the Act.

No. 101-J., dated the 19th July, 1878.—In exercise of the power conferred by section 3 of Act II of 1874 (the Administrator General's Act), the Governor General in Council is pleased to direct that the dominions of Princes and States in India in alliance with Her Majesty shall, for the purposes of the said Act, be included in the Presidencies of Bengal, Madras, and Bombay, respectively, as follows[1]:—

In the Presidency of Bengal.

Cooch Behar.
Hill Tipperah.
Manipur.
The States in the Jaintia and Khási Hills.
The Tributary Mahals of Chutiá Nagpur.
The Tributary Mahals of Cuttack.
Rampur.
Tehri (Garhwal).
Baghal.
Baghat.
Bhawalpore.
Balsan.

[1] Owing to the great length of the list of Native States appended to this Notification, only the portions relating to the States in Northern India have been set out.

Orders under the Administrator General's Act, II of 1874, as to Presidencies within which Native States should be included for purposes of the Act—continued.

IN THE PRESIDENCY OF BENGAL—*contd.*

Bashahr.	Kumharsein.
Bhajji.	Kunhiar.
Bija.	Kuthar.
Chamba.	Loharu.
Darkuti.	Mailog.
Dhami.	Maleir Kotla.
Dujana.	Mundi.
Faridkot.	Manghul.
Hindur (Nalagar).	Nabha.
Jhind.	Pataudi.
Jabbal.	Patiala.
Jummu and Kashmir.	Sangri.
Kahlur (Bilaspur).	Sirmur (Nahun).
Kalsia.	Suket.
Kapurthala.	Taroch.
Keonthal.	* * * * *[1]

See *Gazette of India*, 1878, Pt. I, p. 438.]

Rules and orders under the Foreign Jurisdiction and Extradition Act, as to issue of warrants and treatment of prisoners.

No. 31-J., dated the 12th March, 1875.—In exercise of the powers conferred on him by sections 13 and 15 of Act XI of 1872,[2] and of all other powers enabling him in this behalf,[3] the Governor General in Council is pleased to make the following rules:—

1. The Political Agent shall not issue a warrant, under section 11 of the Act, in any case which is provided for by Treaty, if the Native State expressly desire to abide by the procedure of the Treaty, nor in any case in which application for surrender is made under section 14 to the Governor General in Council or any Local Government.

2. The Political Agent shall not issue a warrant, under section 11, except on a request preferred to him in writing by, or by the authority of, the person for the time being administering the executive Government of the Native State at which he is the British representative, and on the understanding that the provisions of Act XI of 1872 and of these rules are to apply to the case.

3. If the accused be a British subject, the Political Agent shall, before issuing such a warrant, consider whether he ought not to certify the case as one for trial in British India, and he shall, instead of issuing a warrant, so certify the case, if he is satisfied that the interests of justice and the convenience of witnesses can be better served by the trial being held in British India than in the Native State.

4. The Political Agent shall in all cases, before issuing a warrant under section 11, satisfy himself, by preliminary enquiry, that there is a *primâ facie* case against the accused, and that the charge is not prompted by political motives.

[4]5. If the person surrendered under the warrant of a Political Agent, issued under section 11, be not a British subject; or, if such person being a British subject, the Courts of the State, either by custom or by the express recognition of the Governor General in Council, try Native British subjects surrendered to them by extradition, and the Political Agent, after hearing the statement, if any, of the accused and making such further enquiry as he may deem necessary, is still satisfied that there is a *primâ facie* case against the accused, and that the charge is not prompted by political motives, the Political Agent shall make over the accused to be tried by the ordinary Courts of the State in which the offence was committed: provided that the Courts of the State have, by custom or recognition as aforesaid, power to inflict the punishment which may be inflicted under the Indian Penal Code for the offence with which the accused person is charged.

[1] As to Baluchistan, see Pt. IX, *infra*, p. 151.
[2] *See* now Act XXI of 1879, ss. 2, 13 and 18.
[3] In spite of this reference to "other powers," these Rules have been classified as a British-Indian Enactment, because they appear, in so far as they extend to Native territory, to be of the nature of instructions to Political Agents, *i.e.*, British subjects.
[4] This rule was substituted for the original Rule 5 by Notification No. 87-J., dated the 16th August, 1876, printed *infra*, p. 16.

Rules under the Foreign Jurisdiction and Extradition Act, as to issue of warrants and treatment of prisoners—continued.

6. If the accused person be a British subject, but the Courts of the State do not by custom or recognition as aforesaid try Native British subjects, the Political Agent shall dispose of the case himself.

7. If the punishment which may be awarded by the Indian Penal Code for any offence for which the accused person has been surrendered as above be more than the Courts of the State by custom or recognition as aforesaid inflict, the Political Agent may try the case himself if he thinks it advisable to do so.

8. Notwithstanding anything in the three preceding rules, the Political Agent shall try any such case himself, or make it over for trial to the ordinary Courts of the State, if he be generally or specially instructed by the Governor General in Council so to do.

9. In cases made over for trial by the Courts of a Native State under Rules 5 and 7, the Political Agent shall satisfy himself that the accused receives a fair trial, and that the punishment inflicted in the case of his conviction is not excessive or barbarous; and, if he is not so satisfied, he shall demand the restoration of the prisoner to his custody, pending the orders of Government.

10. A return of all persons made over for trial by the Courts of a Native State under Rules 5 and 7 shall be submitted half-yearly by the Political Agent to the Government of India or the Government of Madras or Bombay, as the case may be, in the following form:—

Half-yearly Return, under Rule 9(1) of the Rules under the Extradition Act (XI of 1872),(2) of persons made over by the Political Agent at for trial by the Courts of Native States under Rules 5 and 7, for the period ending

Number.	Name of person.	Nationality.	Offence with which charged.	Where arrested.	Date of surrender.	Native State to which surrendered for trial.	Reasons for surrender.	Nature of sentence passed, with date of sentence.	REMARKS.

11. Persons arrested in British territory on a warrant issued by a Political Agent under section 11, and persons arrested on a warrant issued under section 14, shall be treated, as far as possible, in the same way as persons under trial for a similar offence would be treated under the Code of Criminal Procedure [Act X of 1872(3)], or under the procedure in force in the Presidency-towns if the arrests take place within any Presidency-town.

12. The persons sentenced to imprisonment by the Political Agent shall, if British subjects, be conveyed to the most convenient jail in British territory, there to be dealt with as though the conviction had taken place in a Court of British India: provided always that no appeal shall thereby be given other than is allowed by any rule for regulating appeals from the decisions of the Political Agent.

13. Nothing in rules 5 to 10, inclusive, which refer to cases under section 13 of the said Act shall be deemed to apply to Political Agents immediately under the authority of the Governor in Council of the Presidency of Fort Saint George or the Governor in Council of the Presidency of Bombay.

[See *Gazette of India*, 1875, Pt. I, p. 128.]

No. 149-J., dated the 8th October, 1875.—The Governor General in Council is pleased to order that the notification of this Department [*i.e., the Foreign Department*], No. 31-J., dated 12th March, 1875, publishing certain Rules under Act XI of 1872 (the Foreign Jurisdiction and Extradition Act, 1872),(2) shall not apply to Native territory under the direct administration of the British Government, in which the Code of Criminal Procedure (Act X of 1872)(3) is in force.

[See *Gazette of India*, 1875, Pt. I, p. 524.]

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(1) *Sic.* Read 'Rule 10.'
(2) Repealed. See now Act XXI of 1879.
(3) Repealed in British India by Act X of 1882.

Rules under the Foreign Jurisdiction and Extradition Act, as to issue of warrants and treatment of prisoners—concluded.

No. 87-J., dated the 16th August, 1876.—In supersession of Rule No. 5 of the Rules under Act XI of 1872 (the Foreign Jurisdiction and Extradition Act, 1872),[1] published by Notification of this Department [*i.e., the Foreign Department*], No. 31-J., dated 12th March, 1875, the Governor General in Council is pleased to prescribe the following:—

[Printed *supra*, p. 15.]

[See *Gazette of India*, 1876, Pt. I, p. 440.]

Orders under Act II of 1886 appointing Political Officers to be Collectors for Government Securities held out of British India.

[2]*No. 4135-I., dated the 16th September, 1887.*—In exercise of the powers conferred by section 40 of Act II of 1886 (the Income-tax Act, 1886), the Governor General in Council is pleased to invest each of the Political officers named below with the powers of a Collector under the said Act for the purpose of granting certificates in respect of interest on Government Securities in Forms B, C and D, prescribed in Rule 9 of the notification issued by the Government of India in the Department of Finance and Commerce, No. 593, dated the 5th February, 1886,[3] when such securities are held by persons residing outside of British India:—

(1) The Resident in Nepal.
(2) The Resident in Kashmir.
(3) *The Political Resident in Turkish Arabia.*
(4) *The First Assistant to the Resident at Hyderabad.*
(5) *The Assistant to the Resident in Mysore.*
(6) *The First Assistant to the Agent to the Governor General in Central India.*
(7) *The Resident at Gwalior.*
(8) *The Political Agent in Bhopal.*
(9) *The Political Agent in Baghelkhand and Superintendent of the Rewah State.*
(10) *The Political Agent in Bundelkhand.*
(11) *The Political Agent in Bhopawar.*
(12) *The First Assistant to the Agent to the Governor General in Rajputana.*
([4])(13) *The Resident in Jeypore.*
(14) *The Resident in the Western States of Rajputana.*
(15) *The Resident in Meywar.*
(16) *The Political Agent in Ulwur.*
(17) *The Political Agent in Kotah.*
(18) *The Political Agent in Jhalawar.*
(19) *The Political Agent in Bickaneer.*
(20) *The Political Agent in Harowtee and Tonk.*
([4])(21) *The Political Agent in the Eastern States of Rajputana.*
(22) *The First Assistant to the Agent to the Governor General at Baroda.*
(23) The First Assistant to the Agent to the Governor General in Baluchistan.
([5])(24) The Political Agent, Quetta.
([5])(25) The Political Agent, Zhob.
([5])(26) The Political Agent, Kalat and Bolan Pass.
([5])(27) The Political Agent in South-Eastern Baluchistan.
([5])(28) The Political Agent, Loralai and Railway District.
([5])(29) *The First Assistant to the Political Resident in the Persian Gulf.*
([5])(30) *The Political Agent at Muscat.*

[See *Gazette of India*, 1887, Pt. I, p. 465.]

([1]) Repealed. See now Act XXI of 1879.
([2]) The portions of this Notification printed in italics relate to places not dealt with in this Volume.
([3]) *See* now Notification No. 2763, dated the 6th June, 1890, in *Gazette of India*, 1890, Pt. I, p. 409.
([4]) As amended by Notification No. 1269-I., dated the 22nd March, 1889, in *Gazette of India*, 1889, Pt. I, p. 172.
([5]) As amended by Notification No. 1479E., dated the 17th July, 1890, in *Gazette of India*, 1890, Pt. I, p. 530.

APPENDIX B.

PROVISIONS OF SOME BRITISH ENACTMENTS HAVING SPECIAL REFERENCE TO NATIVE STATES.

I.—The Indian Guaranteed Railways Act, 1879 (42 and 43 Vict., c. 41).[1]

Section 1, para. 3, and section 2.	Empower Guaranteed Railway Companies to make agreements with the Secretary of State as to the working of railways, which term is defined as meaning any Railway constructed before or after the passing of this Act, and belonging to the Secretary of State for India in Council, or situate in Her Majesty's territories in India, or in any territory in the East Indies belonging to any Native Prince or State in alliance with Her Majesty or to any European power.

II.—The Foreign Jurisdiction Act, 1890 (53 and 54 Vict., c. 37).

Section 15	Provides that where any Order in Council made in pursuance of the Act extends to persons enjoying Her Majesty's protection, that expression shall include all subjects of the several Princes and States in India.

III.—The Code of Criminal Procedure, Act X of 1882.

Sections 188 to 190	Provide for the trial in British India of European British subjects committing offences in the dominions of Princes or States in India in alliance with Her Majesty, and of Native Indian subjects committing offences anywhere.[2]
Chapter XL	Provides for the issue of Commissions for the examination of witnesses residing in the dominions of Princes or States in alliance with Her Majesty.

NOTE.—By section 8 of the Foreign Jurisdiction and Extradition Act, XXI of 1879, the law relating to offences and Criminal Procedure for the time being in force in British India has generally been extended (subject, as to procedure, to such modifications as the Governor General in Council from time to time directs) to European British subjects in the dominions of Princes and States in India in alliance with Her Majesty, and to Native Indian subjects everywhere.

IV.—The Code of Civil Procedure, Act XIV of 1882, as amended by Act VII of 1888.

Section 90	Provides for the service of summons of British Indian Courts in foreign territory.
Section 229	Provides for the execution in British India of decrees of Courts established or continued by the Governor General in Council in the territories of any Foreign Prince or State.
Section 229A	Provides for the transmission of decrees of British Indian Courts for execution to any Court established or continued by the Governor General in Council in the territories of any Foreign Prince or State to which the section has, by notification[3] in the *Gazette of India*, been declared to apply.

[1] Cf. 51 Vict., cap. 5, s. 4.

[2] Therefore in the Island of Cyprus—see Empress *v.* Sarmull Singh, I. L. R. 2, All., 218, where the corresponding provision in section 9 of Act XI of 1872 (now superseded by these provisions in the Code) was considered.

[3] See Notifications in General Appendix, *supra*, p. 164. *infra*

PROVISIONS OF SOME BRITISH ENACTMENTS HAVING SPECIAL REFERENCE TO NATIVE STATES—*concluded.*

IV.—The Code of Civil Procedure, Act XIV of 1882, as amended by Act VII of 1888—concluded.

Section 229B	Provides for the execution in British India of the decrees of Civil and Revenue Courts of any Native Prince or State in alliance with Her Majesty, on the publication of a notification(1) to that effect in the *Gazette of India.*
Section 387	Provides for the issue of Commissions to examine witnesses not residing within British India.
Section 391	Declares that the provisions in the Code regarding the execution and return of Commissions shall apply to Commissions issued by Foreign Courts.
Chapter XXVIII (sections 431 to 434).	Deals with suits by, or against, any Sovereign Prince or Ruling Chief, whether in subordinate alliance with the British Government or otherwise, or any ambassador or envoy of a Foreign State.
Section 464	Excepts a Sovereign Prince or Ruling Chief suing or being sued in the name of his State, by direction of the Governor General in Council or a Local Government, from the provisions of Chapter XXXI (suits by or against minors or persons of unsound mind).
Section 650A	Provides for the service in British India of summons issued by Courts beyond the limits of British India which have either been established or continued by the Governor General in Council, or to which the provisions of the section have been declared by notification(1) in the *Gazette of India* to apply.

V.—The Succession Certificate Act, VII of 1889.

Section 17	Provides that a certificate granted or extended by a British representative in a Foreign State shall, when stamped as required by the Court-fees Act, VII of 1870, have the same effect in British India as a certificate granted or extended under the Act.

VI.—The Revenue Recovery Act, I of 1890.

Section 8	Provides for the recovery in British India of certain public demands arising in local areas beyond British India when this Act has been applied thereto.(2)

(1) See Notifications in General Appendix, *supra*, p. 164. *infra*

(2) As to the application of this Act to these areas, see Notification No. 1415-I., dated the 30th April, 1890, printed *infra*, p. 34.

PART II.—THE BRITISH ENACTMENTS IN FORCE LOCALLY IN THE NATIVE STATES UNDER THE POLITICAL CONTROL OF THE LIEUTENANT-GOVERNOR OF BENGAL.

CHAPTER I.—THE STATES OF (1) Cooch Behar,
(2) Hill Tipperah,
(3) Sikkim, and
(4) Bhutan.

CHAPTER II.—THE TRIBUTARY MAHALS OF ORISSA.

CHAPTER III.—THE TRIBUTARY MAHALS OF CHUTIÁ NAGPUR.

CHAPTER IV.—RAILWAY UNDER BRITISH JURISDICTION—

The Bengal-Nagpur Railway { Gangpur (eastern parts of the State).
Khursowan.
Seraikilla.

CHAPTER I.

THE STATES OF (1) COOCH BEHAR; (2) HILL TIPPERAH; (3) SIKKIM, AND (4) BHUTAN.

(1)—COOCH BEHAR.

[For the relations of the British Government with this State, *see* Aitchison's Treaties, Vol. I, pages 95—99. The Commissioner of Rajshahye for the time being exercises the powers of a Political Agent under Chapters IV and V of the Foreign Jurisdiction and Extradition Act, 1879, for this State.]

The only British Enactment, so far as is known, in force locally in this State is the following:—

British-Indian Enactment, namely,—

Local Order under an Act in force generally in all Native States in India.

Year.	No.	Subject of Act.	Section.	Subject of Notification.	Notification.
1879	XXI	Foreign Jurisdiction and Extradition.	6	Appointing a Justice of the Peace for the State of Cooch Behar and denoting the Court of Session to which he should commit for trial.	*No. 2655-I., dated the 12th August, 1885.*—In exercise of the powers conferred by section 6 of Act XXI of 1879 (the Foreign Jurisdiction and Extradition Act, 1879), the Governor General in Council is pleased to appoint Captain A. Evans-Gordon, Superintendent of the Cooch Behar State, being a European British subject, to be a Justice of the Peace within the State of Cooch Behar. The Governor General in Council is further pleased to direct that the Court of Session at Rungpore shall be the Court to which the said Justice of the Peace shall commit for trial when he makes a commitment to a Court of Session. [See *Gazette of India*, 1885, Pt. I, p. 481.]

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Supplementary Notes.

I.—Delegation of functions with respect to suits against the Mahárájá.—By Notification No. 1369-I., dated the 29th March, 1889, the Local Government of Bengal and its Secretaries have been authorised, under section 433, sub-section (*4*), of the Code of Civil Procedure, to exercise, with respect to His Highness the Mahárájá of Cooch Behar, the functions assigned by sub-sections (*1*), (*2*) and (*3*) of the said section to the Governor General in Council and a Secretary to the Government of India, respectively. (See *Gazette of India*, 1889, Pt. I, p. 187).

II.—Execution of Cooch Behar decrees in British India.—By Notification No. 53-J., dated the 7th March, 1879 (see *Gazette of India*, 1879, Part I, page 149), it was declared, under section 434 of the then Code of Civil Procedure (Act X of 1877)[1], that decrees of the Civil and Revenue Courts of Cooch Behar might be executed in British India as if they had been made by the Courts of British India. In a recent case reported in Indian Law Reports, 14 Cal., p. 546, Norris, J., pointed out that this Notification is now of no use, inasmuch as there is no representative of Her Majesty or the Government of India residing in Cooch Behar, and consequently certified copies of judicial records of the State cannot be received in evidence in the Courts of British India under the provisions of section 86 of the Indian Evidence Act, 1872. This defect has now, however, been removed by section 8 of Act III of 1891, which amends section 86 of the Evidence Act in such a way as to enable the Commissioner of Rajshahye and other politicial officers similarly situated to grant the certificate required by the section.

[1] *See* now s. 229B. of Act XIV of 1882, as amended by Act VII of 1888, s. 39.

(2)—HILL TIPPERAH.

[For the relations of the British Government with this State, *see* Aitchison's Treaties, Vol. I, pages 101—106. The District Magistrate of Tipperah is *ex-officio* Political Agent for this State.]

There are no British Enactments, so far as is known, in force locally in this State.

Notes.

I.—Delegation of functions with respect to suits against the Mahárájá.—By Notification No. 1369-I., dated the 29th March, 1889, the Local Government of Bengal and its Secretaries have been authorised, under section 433, sub-section (*4*), of the Code of Civil Procedure, to exercise, with respect to His Highness the Mahárájá of Hill Tipperah, the functions assigned by sub-sections (*1*), (*2*) and (*3*) of the said section to the Governor General in Council and a Secretary to the Government of India, respectively. (See *Gazette of India*, 1889, Part I, p. 187).

II.—Looshais.—For the relations of the British Government with this tribe (whose territory lies to the south-east of Tipperah), prior to 1876, see Aitchison's Treaties, Vol. I, pages 102 and 103. The Looshai country is at present occupied by British troops.

(3)—SIKKIM.

[For the relations of the British Government with this State, *see* Aitchison's Treaties, Vol. I, pages 135—148. See also the recent Convention[1] between the British and Chinese Governments, dated the 17th March, 1890, giving the British Government direct and exclusive control over the internal administration and foreign relations of this State.]

There are no British Enactments, so far as is known, in force locally in this State.

Notes.

I.—Delegation of functions with respect to suits against the Mahárájá.—By Notification No. 1369-I., dated the 29th March, 1889, the Local Government of Bengal and its Secretaries have been authorised, under section 433, sub-section (*4*), of the Code of Civil Procedure, to exercise, with respect to His Highness the Mahárájá of Sikkim, the functions assigned by sub-sections (*1*), (*2*) and (*3*) of the said section to the Governor General in Council and a Secretary to the Government of India, respectively. (See *Gazette of India*, 1889, Pt. I, p. 187.)

II.—Treaty provisions as to jurisdiction over British subjects in Sikkim.—Under Article IX of a Treaty, dated the 28th day of March, 1861, between the British and Sikkim Governments, it was agreed that if any merchant, traveller or trader, being a European British subject, should commit any offence contrary to the laws of Sikkim, such person should be punished by the representative of the British Government resident at Darjiling, and that the Sikkim Government would at once deliver such offender over to the British authorities for this purpose, and would on no account detain such offender in Sikkim on any pretext or pretence whatsoever. Further, that all other British subjects residing in Sikkim should be liable to the laws of Sikkim, but such a person should on no account be punished with loss of limb, or maiming or torture, and that every case of punishment of a British subject should be at once reported to Darjiling. (*See* Aitchison's Treaties, Vol. I, No. LIV, p. 146.)

III.—Extradition.—By Article VI of the same Treaty, the Sikkim Government undertook to deliver up all fugitive offenders on demand, and agreed that, should any delay occur on the part of the Government of Sikkim in complying with the demand of the British Government for the surrender of a fugitive offender, the British Police might follow the person whose surrender was demanded into any part of the Sikkim territory, and would, on showing a warrant duly signed by the British Agent, receive every assistance and protection in the prosecution of their object from the Sikkim officers. (See *ib.*, p. 145.)

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[1] Mr. A. W. Paul, Deputy Commissioner of Darjiling, has been appointed to be the Commissioner on the part of the British Government for the purposes of Articles IV, V and VI of this Convention. (*See* Notification No. 48-E., dated the 8th January, 1891, in *Gazette of India*, 1891, Pt. I, p. 15.)

CHAPTER I.—(4)—BHUTAN.

(4)—BHUTAN.

[For the relations of the British Government with this State, *see* Aitchison's Treaties, Vol. I, pages 148—166.]

There are no British Enactments, so far as is known, in force locally in this State.

Notes.

I.—Delegation of functions with respect to suits against the Deb Rájá.—By Notification No. 1369-I., dated the 29th March, 1889, the Local Government of Bengal and its Secretaries have been authorised, under section 433, sub-section (*4*), of the Code of Civil Procedure, to exercise, with respect to the Deb Rájá of Bhutan, the functions assigned by sub-sections (*1*), (*2*) and (*3*) of the said section to the Governor General in Council and a Secretary to the Government of India, respectively. (See *Gazette of India*, 1889, Part I, p. 187.)

II.—Extradition, &c.—Articles VI and VII of a Treaty, dated the 11th November, 1865, between the British Government and this State, provide for the extradition of offenders to and from British India and Bhutan; and by Article IX of the same Treaty it is stipulated that Bhutanese subjects residing in British territories shall have equal justice with British subjects, and British subjects residing in Bhutan shall have equal justice with the subjects of the Bhutan Government. (*See* Aitchison's Treaties, Vol. I, No. LX, pages 164 and 165.)

CHAPTER II.

THE TRIBUTARY MAHALS OF ORISSA:

Comprising the following seventeen Mahals[1] :—

1. Moharbunj.
2. Keonjhar.
3. Nilgiri.
4. Dhenkánal.
5. Daspalla and Joremo.[2]
6. Tálcher.
7. Hindol.
8. Narsinghpur.
9. Tigaria.
10. Baramba.
11. Khandpára.
12. Nayágarh.
13. Ranpur.
14. Athgarh.
15. Pal Lahára.
16. Boad.[3]
17. Athmalik.

[For the relations of the British Government with these mahals, which are under the political supervision of the Commissioner of Cuttack as Superintendent, and the Magistrates of Balasore, Midnapore, Puri, and Cuttack as Assistant Superintendents, *see* Aitchison's Treaties, Vol. I, pages 107—121, and the judgments delivered by certain Judges of the Calcutta High Court in the cases reported in Indian Law Reports, 7 Cal., 523, and 8 Cal., 985.[4] In the latter case a majority of a Full Bench ruled that, notwithstanding the fact that these mahals had formed the subject of certain legislative enactments[5] made by the British Government, the mahal of Moharbunj was not a part of British India. As there does not appear to be any material distinction between Moharbunj and the other Tributary Mahals in regard to its relations with the Government, it is apprehended that the Full Bench decision in the case of that mahal practically settles the status of the other mahals also.

With regard to the extent of the civil and criminal jurisdiction exercised by the British Government in these mahals, no formal enactments defining the powers of British officers therein have ever, so far as is known, been published. The following extract from the judgment of Mitter, J. (I. L. R., 8. Cal., 997), will show however what powers were actually exercised by our officers[6] in 1882 :—

"In these mahals the administration of civil justice, excepting in cases provided for by Regulation XI of 1816 and Acts XXI of 1845 and XX of 1850, has been left entirely in the hands of the Native Rájás, who have no criminal jurisdiction except in petty

(1) Two other mahals (Angul and Banki) were annexed by Government for the misconduct of their Chiefs. They were constituted one Scheduled District under Acts XIV and XV of 1874, but from the 1st April, 1882, the mahal of Banki was separated off and annexed to the regulation district of Cuttack—*see* Act XXV of 1881.

(2) These are two distinct and separate mahals, but are held by one Chief.

(3) The Khandmals of Boad are in a somewhat different position from the rest of that mahal, inasmuch as they have been under sole British administration for many years.

(4) Followed in I. L. R., 9 Cal., p. 288, where it was held that the Court had no power, either by way of appeal or revision, to interfere with a sentence passed by the Superintendent of the Tributary Mahals when exercising jurisdiction over Moharbunj, a place not situated within the limits of British India.

(5) *See* the following enactments:—

Bengal Regulation IV of 1804 [Criminal Law, Cuttack] (repealed by Act VIII of 1868), Bengal Regulation XII of 1805, ss. 36 and 37 [Revenue Law, Cuttack], Bengal Regulation XIII of 1805, s. 13 [Police, Cuttack], Bengal Regulation XIV of 1805, s. 11 [Civil Suits, Cuttack] (repealed by Act XII of 1876); Bengal Regulation XI of 1816 [Succession, Tributary Estates, Cuttack], Act XXI of 1845 [Meriah sacrifices] (repealed by Act XVI of 1874), and Act XX of 1850 [Boundaries, Tributary Mahals, Cuttack], which the majority of the High Court held to relate only to the exercise of such authority as would properly and naturally be exercised by a paramount power (*per* Pontifex, J., I. L. R., 8. Cal., 990).

(6) This is believed to be a correct statement of their present powers, save that by more recent orders issued in 1884 and 1886, (*1*) the Commissioner of Orissa as Superintendent, and the Magistrates of Balasore, Midnapore, Puri and Cuttack as Assistant Superintendents, have been directed ordinarily to exercise their criminal jurisdiction within the Mahals; and (*2*) the Assistant Superintendent of Balasore has been invested with the powers of a Sessions Judge for the trial of cases committed from the States of Nilgiri and Moharbunj.

cases. The administration of criminal justice is, with that exception, in the hands of the officers under the British Government. Special rules of procedure were framed in 1839 by the then Superintendent of the Tributary Mahals, though they were not formally sanctioned by the Government, yet the officers entrusted with the administration of criminal justice in these mahals were directed to follow the spirit of these rules as closely as possible.

"The recent orders of Government regarding the powers to be exercised by these officers are thus succinctly recited in the judgment of Cunningham, J., in the case already referred to (page 531)(1). On the 12th December, 1870, the Secretary of the Bengal Government addressed the Magistrate as *ex-officio* Assistant Superintendent, Tributary Mahals, informing him that, as *ex-officio* Assistant Superintendent of the Tributary Mahals, he was empowered to take up for trial all offences committed within the Tributary Mahals not punishable with death, and to pass sentences not exceeding seven years, submitting his proceedings, in each case, to the Superintendent. Trials thus conducted were to be, as far as possible, in accordance with the Criminal Procedure Code.

"In 1872 the Government of India vested the Superintendent of the Tributary Mahals with the powers exercised by a Sessions Judge in Regulation Districts, and with power to hear appeals from sentences passed by any subordinate officer in Tributary Mahal cases.

"On the 30th April, 1873, the Government of Bengal addressed the Superintendent of the Tributary Mahals, in answer to a letter submitting a tabular statement of the powers then exercised by officers in the Tributary Estate of Orissa, and the powers which, in the opinion of the Superintendent, ought to be exercised in accordance with the spirit of the new Criminal Procedure Code, authorised the Superintendent to exercise the powers of Magistrate of a District and of a Sessions Judge under section 15 of the Act, and gave him power to hear appeals from sentences under section 36. The Magistrates and *ex-officio* Assistant Superintendents of the Tributary States were invested with the powers of a Magistrate of the first class, and under sections 36 and 222 of the Code."

The Superintendent of these mahals exercises the powers of a Political Agent under Chapters IV and V of the Foreign Jurisdiction and Extradition Act, XXI of 1879. *See* Notification No. 1363-I, dated the 26th March, 1891, in *Gazette of India*, 1891, Pt. I, p. 171.]

The only other British Enactment, so far as is known, in force locally in these mahals is the following:—

British-Indian Enactment, namely,—

Local Order under an Act in force generally in all Native States in India.

Year.	No. of Act.	Subject of Act.	Section.	Subject of Notification.	Notification.
1872	XV	Christina Marriage	8	Appointing the Christian Missionary in charge of the Moharbunj Settlement to be a Marriage Registrar for the Moharbunj State.	*No. 930-I., dated the 28th February, 1889.*—In exercise of the powers conferred by section 8 of the Indian Christian Marriage Act, XV of 1872, the Governor General in Council is pleased to appoint the Christian Missionary in charge of the Moharbunj Settlement, for the time being, to be a Marriage Registrar in respect of the Moharbunj State. [See *Gazette of India*, 1889, Pt. I, p. 132.]

(1) *See* 7 I. L. R., Cal. 523, quoted above.

Supplementary Note.

Delegation of functions with respect to suits against the Chiefs of the Tributary Mahals of Orissa.—By Notification No. 1369-I., dated the 26th March, 1889, the Local Government of Bengal and its Secretaries have been authorised, under section 433, sub-section (*4*), of the Code of Civil Procedure, to exercise, with respect to these Chiefs, the functions assigned by sub-sections (*1*), (*2*) and (*3*) of the said section to the Governor General in Council and a Secretary to the Government of India, respectively. (See *Gazette of India*, 1889, Pt. I, p. 187.)

CHAPTER III.

THE TRIBUTARY MAHALS OF CHUTIA NAGPUR:

Comprising the following mahals of:—

1. Sirgoojah.
2. Oodeypur.
3. Jashpur.
4. Gangpur.
5. Korea.
6. Bonai.
7. Chang Bakhr.
8. Seraikilla.
9. Khursowan in Singhbhoom.[1]

[For the relations of the British Government with these mahals, which are under the political supervision of the Commissioner of Chutiá Nágpur, assisted by the Deputy Commissioner of Singhbhoom—*see* Aitchison's Treaties, Vol. I, pages 123—133.

With regard to the extent of the civil and criminal jurisdiction exercised by the British Government in these mahals, no formal enactments defining the powers of British officers therein have ever, so far as is known, been published; but the criminal jurisdiction of such officers has been recognised by the High Court of Calcutta in a case decided in 1882, which, as being unreported, is set out for convenience of reference in Note IV appended to this Chapter. The criminal jurisdiction of the Chiefs would appear to be regulated by certain rules issued for their guidance in 1863. Generally speaking, the criminal powers of the Chiefs are, it is believed, limited to minor offences, more serious cases being committed for trial to the Superintendent, who was invested in 1872 and 1873 by executive orders with similar powers under the Code of Criminal Procedure to those conferred on the Superintendent of the Orissa Tributary Mahals in those years. (*See* the extract from Mitter J.'s judgment in the Moharbunj case, printed on pages 26 and 27, *supra*.

In civil matters the Chiefs would seem to have full jurisdiction, subject only to a general right of appeal to the Superintendent.]

[1] The estate of the Rájá of Singhbhoom, afterwards styled the Rájá of Porahat, was confiscated for rebellion in 1857. The tract known as the Kolhan was at one time part of the Singhbhoom Rájá's territories, but it has for many years been administered by the British Government, and has been dealt with by Notifications under the Scheduled Districts Act, 1874, as part of the Singhbhoom district of the Chutiá Nágpur Division, which is a Scheduled District.

CHAPTER III.—THE TRIBUTARY MAHALS OF CHUTIA NAGPUR—*continued.*

The only British Enactment, so far as is known, in force locally in these mahals is the following :—

British-Indian Enactment, namely,—

Local Order under an Act in force generally in all Native States in India.

Year.	Number.	Subject of Act.	Section.	Subject of Notification.	Notification.
1886	II	License-tax amendment.	40	Investing the Commissioner of Chutiá Nágpur, as Political Officer in charge of the Tributary States, Chutiá Nágpur, with the powers of a Collector under the Act for the purpose of granting certificates in respect of interest on Government securities held by persons residing outside of British India.	*The 8th November, 1887.*—In exercise of the powers conferred by section 40 of Act II of 1886 (the Income-tax Act, 1886), the Lieutenant-Governor invests the Commissioner of Chutiá Nágpur, in his capacity as Political Officer in charge of the Tributary States, Chutiá Nágpur, with the powers of a Collector under the said Act for the purpose of granting certificates, in respect of interest on Government securities, in Forms B, C and D, prescribed in Rule 9 of the Notification issued by the Government of India, in the Department of Finance and Commerce, No. 593, dated the 5th February, 1886,(1) when such securities are held by persons residing outside of British India. [See *Calcutta Gazette*, 1887, Pt. I, p. 928].

(1) *See* now Notification No. 2763, dated the 6th June, 1890, in *Gazette of India*, 1890, Pt. I, p. 409.

CHAPTER III.—THE TRIBUTARY MAHALS OF CHUTIA NAGPUR—*concluded.*

Supplementary Notes.

I.—**Delegation of functions with respect to suits against the Chiefs of the Tributary Mahals of Chutia Nagpur.**—By Notification No. 1369-I., dated the 29th March, 1889, the Local Government of Bengal and its Secretaries have been authorised, under section 433, sub-section (*4*), of the Code of Civil Procedure, to exercise, with respect to these Chiefs, the functions assigned by sub-sections (*1*), (*2*) and (*3*) of the said section to the Governor General in Council and a Secretary to the Government of India, respectively. (See *Gazette of India*, 1889, Pt. I, p. 187.)

II.—**Regulation XIII of 1833 and Act XX of 1854.**—It may be noted that neither Bengal Regulation XIII of 1833 [*Zilas of Ramgarh, Jungle Mahals and Midnapore*] (repealed by Act XII of 1876), nor Act XX of 1854, which amended that Regulation, covered these tributary mahals. So that in this case we have not the legal anomaly, which exists in the case of the Orissa Tributary Mahals, of legislation for territory declared to be beyond the limits of British India (*see* page 26, *supra*).

III.—**Railway lands.**—Jurisdiction over the lands occupied by the Bengal-Nagpur Railway in the eastern parts of the Mahal of Gangpur and in the Mahals of Seraikilla and Khursowan has been acquired by the British Government. (*See* Chapter IV, *infra*, pp. 32 to 36.) Jurisdiction has also been acquired over the lands occupied by this Railway in the Hingir Taluq of the Mahal of Gangpur and in the western parts of that mahal between the Sambalpur Road and Govindpur Railway Station, see Notification No. 2138-I., dated the 21st May 1891, in *Gazette of India*, 1891, Pt. I, p. 288.

IV.—**High Court decision** (referred to *supra*, p. 29).

"HIGH COURT OF JUDICATURE AT FORT WILLIAM IN BENGAL.

"*The 15th September, 1882.*

"CRIMINAL JURISDICTION.

"*Present:*

"The Hon'ble W. F. MCDONELL, V.C. } Two of the Judges
" " J. O'KINEALY, } of the Court.
"META KHASIA . . . *Appellant.*

"This is an appeal from a conviction and sentence passed by Mr. Hewitt, Commissioner of Chutiá Nágpur, as Political Agent of the Chutiá Nágpur Tributary Mahals. The offence was committed in Gangpur, a tributary mahal attached to that division. The prisoner appears to have been tried in Lohardugga. It appears that the successive Political officers have, since 1817, exercised a similar jurisdiction, and that they were not subject either to the appellate or revisional jurisdiction of the Sudder Nizamut Adawlut. The only question now before us is whether we have any power to interfere with the decision of that officer. In criminal appeal No. 166 of 1882,[1] a Division Bench of this Court decided that, in cases like the present case, the High Court had not, either under the Letters Patent or the Procedure Codes, any power to interfere with the decisions of officers other than Sessions Judges and other specified officers. In this opinion we concur, and the appeal must be rejected on the ground that we have no power to interfere. Whether the jurisdiction has been exercised in accordance with law or not is not a question now before this Court.

W. F. MCDONELL.
J. O'KINEALY."

[1] *See* I. L. R. 9, Cal., p. 288.

CHAPTER IV.

RAILWAY UNDER BRITISH JURISDICTION.

THE BENGAL-NAGPUR RAILWAY :[1]

Comprising the sections[2] passing through the eastern part of the Feudatory State of Gangpur and the Feudatory States of Seraikilla and Khursowan.

The British Enactments in force locally in these sections of the Bengal-Nagpur Railway consist of—

British—Bengal-Nagpur Railway Enactments, namely,-

1.—Local Laws made by the Governor General in Council—

(a) Acts of the Governor General in Council locally applied.
(b) Special Local Laws.

2.—Local Rules and Orders under Acts of the Governor General in Council locally applied.

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[1] A small portion of the Northern section of the Eastern Bengal State Railway passes through a corner of the Native State of Cooch Behar, but, so far as is known, no jurisdiction has been acquired by the British Government over this portion of the line.

[2] In regard to the sections of this Railway which pass through other portions of the Feudatory State of Gangpur, see Notification 2138-I., dated the 21st May 1891 (Gazette of India, 1891, Pt. I, p. 288), which was published too late for insertion in the present volume.

For information as to the sections of this Railway which pass through Bamra, Khairagarh, Nandgaon, Raigarh, and Sadsi, Feudatory States of the Central Provinces, and the Rewah State in Central India, *see* the Central India Volume of these Lists.

CHAPTER IV.—BENGAL-NAGPUR RAILWAY—*continued.*

British-Bengal-Nagpur Railway Enactments—

1.—(a) Acts of the Governor General in Council locally applied.

Year.	No.	Subject of Act.	Extent of application.	Modification.	Notification.
1890	I	Revenue Recovery.	The whole Act.	.....	*No. 1415-I., dated the 30th April, 1890* (printed *infra*, p. 34).
	IX	Railways .	Ditto, so far as suitable.	As amended for the time being by subsequent enactments.	*No. 1328-I., dated the 22rd March, 1891* (printed *infra*, p. 112).

CHAPTER IV.—BENGAL-NAGPUR RAILWAY—*continued.*

British-Bengal-Nagpur Railway Enactments—

1.-(b) Special Local Laws.

When made.	Subject of Notification.	Notification.
1890	Declaring laws in force, and jurisdiction of Courts, and providing for Police administration.	*No. 1033-I., dated the 28th March, 1890.*—Whereas the Governor General in Council has and exercises full jurisdiction within those portions of land which are occupied or may be hereafter occupied by the Bengal-Nagpur Railway (including the land occupied as stations, out-buildings, and for other purposes connected with the Railway) which lie within the eastern parts of the Feudatory State of Gangpur and the States of Seraikilla and Khursowan: In exercise of this jurisdiction, and of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879, and of all other powers enabling him in this behalf, the Governor General in Council is pleased to issue the following Notification:— (1) All laws for the time being in force in the Kolhan of the Singhbhoom District shall be deemed to be in force in the aforesaid land. (2) All Courts having for the time being jurisdiction within the Kolhan of the Singhbhoom District shall exercise the same jurisdiction within the aforesaid land. (3) The administration of Police within the aforesaid land shall be vested in the District Superintendent or the officer in charge of the District Police of Singhbhoom, for the time being, who shall exercise within the aforesaid land the same police powers as he may exercise, for the time being, in the Kolhan of the Singhbhoom District, in subordination to the same authorities as he may be for the time being subordinate to when exercising those powers within the Kolhan of the Singhbhoom District. [See *Gazette of India*, 1890, Pt. I, p. 223].
,, ...	Recovery of revenue-arrears accruing in British India.	*No. 1415-I., dated the 30th April, 1890.*—The Governor General in Council is pleased to apply the Revenue Recovery Act, I of 1890, to all territories which are under the Administration of the Governor General in Council, but which are not in British India, including the territories for the time being administered by the Agent to the Governor General in Baluchistan as such Agent, and to direct that an arrear of land-revenue accruing in any part of British India, or a sum recoverable as such an arrear, and payable to a Collector or other public

CHAPTER IV.—BENGAL-NAGPUR RAILWAY—*continued.*

British-Bengal-Nagpur Railway Enactments—

1.-(b) Special Local Laws—*concluded.*

When made.	Subject of Notification.	Notification.
1890	Recovery of revenue-arrears accruing in British India—*contd.*	officer, or to a local authority, in any part of British India, may be recovered in any of those territories under the said Act as hereby applied. [See *Gazette of India*, 1890, Pt. I, p. 342.]
1891	Applying the general rules for working open lines of Railway.	*No. 1328-I., dated the 23rd March, 1891* (printed *infra*, p. 112).
„	Applying the general rules for working railways under construction.	Ditto.
„	Declaring the Government of Bengal to be the Local Government for the purposes of the Railways Act.	Ditto.

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CHAPTER IV.—BENGAL-NAGPUR RAILWAY—*concluded.*

British-Bengal-Nagpur Railway Enactments—

2.–Local Rules and Orders under Acts of the Governor General in Council locally applied.

Year.	No.	Subject of Act.	Section.	Subject of Notification.	Notification.
1890	IX	Railways .	16	Sanctioning the use of motive power and rolling-stock.	*No. 1328-I., dated the 23rd March, 1891* (printed *infra*, p. 112).
„	„	Ditto . .	144	Delegating certain powers and functions to the Government of Bengal.	Ditto.

PART III.—THE BRITISH ENACTMENTS IN FORCE LOCALLY IN THE NATIVE STATES UNDER THE POLITICAL CONTROL OF THE CHIEF COMMISSIONER OF ASSAM.

CHAPTER I.—THE KHÁSI HILLS.
CHAPTER II.—MANIPUR.
CHAPTER III.—TRIBES ON THE NORTH-EASTERN FRONTIER.

CHAPTER I.

THE KHÁSI HILLS:

Comprising twenty-five States, of which the principal are—

Cherra Poonjee, Khyrim, | Nustang, Lungree, and Nuspung.

[For the relations of the British Government with these Hill States, *see* Aitchison's Treaties, Vol. I, pages 181—226. The States are under the control of the Deputy Commissioner, Khási and Jaintia Hills District.]

The only British Enactment, so far as is known, in force locally in these States is the following:—

British-Indian Enactment, namely,—

Local Order under an Act in force generally in all Native States in India.

Year.	No.	Subject of Act.	Section.	Subject of Notification.	Notification.
1872	XV	Christian Marriage	56 & 86	Delegating to the Chief Commissioner of Assam powers to appoint Marriage Registrars for, and to license persons to grant certificates of, marriage between Native Christians; and appointing the Secretary to the Chief Commissioner to receive the certificates mentioned in section 54 of the Act.	*No. 1332-E.*,[1] *dated the 29th June, 1888.*—In exercise of the powers conferred by section 86 of the Indian Christian Marriage Act, XV of 1872, the Governor General in Council is pleased to declare that the powers given to the Governor General in Council by sections 8 and 9 of that Act to appoint Marriage Registrars for, and to license persons to grant certificates of, marriage between Native Christians in the Native States situated in the Khási Hills, are hereby delegated to, and may be exercised by, the Chief Commissioner of Assam for the time being. And in exercise of the powers conferred by section 56 of the said Act, the Governor General in Council is pleased to appoint the Secretary to the Chief Commissioner of Assam, for the time being, as the officer to whom Marriage Registrars in Native States situated in the Khási Hills shall send the certificates mentioned in section 54 of the aforesaid Act. [See *Gazette of India*, 1888, Pt. I, p. 294].

[1] Under the power delegated to him by this Notification, the Chief Commissioner has appointed certain persons by name to be Marriage Registrars, and licensed them to grant certificates of marriage between Native Christians in such portions of the Khási Hills District as are not included in British India (see *Assam Gazette*, 1888, Pt. I, p. 472).

Supplementary Note.

Jurisdiction of Chiefs.—By Article II of a General Form of Agreement (*see* Aitchison's Treaties, Vol. I, No. LXVIII, page 189) which every Chief is required to enter into, at the time of his election, the jurisdiction of the Chiefs is limited to civil cases and criminal cases not of a heinous kind, in which their subjects alone are concerned. All heinous cases and all civil and criminal cases in which persons, who are not the subjects of the State within the limits of which the case arose, are concerned, are to be referred for adjudication by the Deputy Commissioner of the Khási and Jaintia Hills, or any other officer appointed by him for that purpose. By an agreement subsequently entered into in 1883 by a large number of the Chiefs, it has been arranged that suits for divorce and other matrimonial causes arising between Native Christians who are subjects of the Chiefs and have been married in accordance with the Indian Christian Marriage Act, XV of 1872, shall be tried by a Special Court, consisting of the Deputy Commissioner and the Chiefs[1] whose subjects are concerned.

[1] In the case of one State, Shella, the Wahadars have agreed to abide by the decision of the Deputy Commissioner sitting alone.

CHAPTER II.

MANIPUR.

[For the relations of the British Government with this State, *see* Aitchison's Treaties, Vol. I, pages 247—250. The State is now occupied by British troops.]

The British Enactments in force locally in Manipur consist of—

A.—British-Indian Enactment, namely,—

Local Order under an Act in force generally in all Native States in India.

B.—British-Manipur Enactments.

Local Laws made by the Governor General in Council—

(a) Acts of the Governor General in Council locally applied.

(b) Special Local Laws.

CHAPTER II.—MANIPUR—*continued.*

A.—British-Indian Enactment.

Local Order under an Act in force generally in all Native States in India.

Year.	No.	Section.	Subject of Act.	Subject of Notification.	Notification.
1879	XXI	6	Foreign Jurisdiction and Extradition.	Appointing the Political Agent, Manipur, to be a Justice of the Peace within the State of Manipur.	*No. 411-E., dated the 3rd March, 1891* (printed *infra*, p. 46).

CHAPTER II.—MANIPUR—*continued.*

B.—British-Manipur Enactments.

(a) Acts of the Governor General in Council locally applied for the purposes of cases in which British subjects are defendants.

Year.	No.	Subject of Act.	Extent of application.	Modification.	Notification.
1865	X	Succession .	The whole Act, so far as applicable.	As amended for the time being by subsequent enactments.	*No. 413-E., dated the 3rd March, 1891* (printed *infra*, p. 46).
1872	I	Evidence .	Ditto . .	Ditto . . .	Ditto.
„	IX	Contract .	Ditto . .	Ditto . . .	Ditto.
1877	XV	Limitation .	Ditto . .	Ditto . . .	Ditto.
1881	V	Probate and Administration.	Ditto . .	Ditto . . .	Ditto.
„	XIV	Civil Procedure.	Ditto . .	Ditto . . .	Ditto.
1887	IX	Provincial Small Cause Courts.	Ditto . .	Ditto . . .	Ditto.
1888	VI	Debtors .	Ditto . .	Ditto . . .	Ditto.
1889	VII	Succession Certificates.	Ditto . .	Ditto . . .	Ditto.

CHAPTER II.—MANIPUR—*continued.*

British-Manipur Enactments.

(b) Special Local Laws.

When made.	Subject of Notification.	Notification.	Reference.
1889 and 1890	Providing for— (1) execution of decrees— (*a*) of British Indian Courts by the Court of the Political Agent, Manipur; (*b*) of the Court of the Political Agent, Manipur, by Courts established or continued by the Governor General in Council in other Native States, and *vice versâ*. (*c*) of certain Courts in Mysore and Bombay Native States by the Court of the Political Agent, Manipur:	*Nos. 1362-I. to 1364-I., dated the 29th March, 1889, and No. 2183-I., dated the 2nd July, 1890.*	[Printed *infra*, pp. 164 and 165.]
	(2) service of summonses— (*a*) of British Indian Civil and Revenue Courts by the Court of the Political Agent, Manipur; (*b*) of the Court of the Political Agent, Manipur, by Courts established or continued by the Governor General in Council in other Native States, and *vice versâ*; (*c*) of certain Courts in Hyderabad, Mysore, Central India, and Bombay Native States, by the Court of the Political Agent, Manipur.	*Nos. 1366-I. to 1368-I., dated the 29th March, 1889, and No. 2182-I., dated the 2nd July, 1890.*	[Printed *infra*, p. 167.]
1891	Providing for the conduct of Criminal proceedings against British subjects other than (*a*) European British subjects and (*b*) persons jointly charged with European British subjects.	*No. 412-E., dated the 3rd March, 1891.*	[Printed *infra*, p. 46.]
	Providing for the administration of Civil justice in cases in which British subjects are defendants.	*No. 413-E., dated the 3rd March, 1891.*	Ditto.

Supplementary Note.

Delegation of functions with respect to suits against the Maharaja.—By Notification No. 1369-I., dated the 29th March, 1889, the Local Government of Assam and its Secretaries have been authorized, under section 433, sub-section (*4*), of the Code of Civil Procedure, to exercise, with respect to His Highness the Mahárájá of Manipur, the functions assigned by sub-sections (*1*), (*2*) and (*3*) of the said section to the Governor General in Council and a Secretary to the Government of India, respectively. (See *Gazette of India*, 1889, Pt. 1, p. 187.)

APPENDIX.

Appointment of Political Agent, Manipur, to be a Justice of the Peace.

No. 411-E., dated the 3rd March, 1891.—In exercise of the power conferred by section 6 of the Foreign Jurisdiction and Extradition Act, XXI of 1879, the Governor General in Council is pleased to appoint the officer for the time being holding the office of Political Agent, Manipur, being an European British subject, to be a Justice of the Peace within the State of Manipur.

Foreign Department Notification No. 123-J., dated the 6th October, 1876, is hereby cancelled

[See *Gazette of India*, 1891, Pt. I, p. 122.]

Criminal proceedings against non-European British subjects.

No. 412-E., dated the 3rd March, 1891.—In exercise of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, XXI of 1879, the Governor General in Council is pleased to make the following orders in respect of criminal proceedings within the limits of the State of Manipur against British subjects other than (*a*) European British subjects and (*b*) persons jointly charged with European British subjects:—

(1) The Political Agent, Manipur, for the time being shall exercise within the limits of the State of Manipur the powers of a District Magistrate and a Court of Session as described in the Code of Criminal Procedure, 1882. X of 1882.

(2) The Chief Commissioner of Assam for the time being shall exercise the powers of a Court of Session and a High Court as described in the said Code in respect of all offences over which magisterial jurisdiction is exercised by the Political Agent, Manipur, provided that the Political Agent shall not commit any accused person for trial to the Chief Commissioner acting as a Court of Session.

(3) The Chief Commissioner of Assam for the time being shall exercise the powers of a High Court as described in the said Code in respect of all offences over which the jurisdiction of a Court of Session is exercised by the Political Agent, Manipur.

(4) In the exercise of the jurisdiction of a Court of Session conferred on him by this notification, the Political Agent, Manipur, may take cognizance of an offence as a Court of original criminal jurisdiction without the accused person being committed to him by a Magistrate, and shall, when so taking cognizance of any offence, follow the procedure prescribed by the Code of Criminal Procedure, 1882, for the trial of warrant cases by Magistrates. X of 1882.

[See *Gazette of India*, 1891, Pt. I, p. 122.]

Administration of Civil Justice in cases in which British subjects are defendants.

No. 413-E., dated the 3rd March, 1891.—In exercise of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, XXI of 1879, the Governor General in Council is pleased to make the following orders for regulating the exercise of civil jurisdiction in the State of Manipur in cases in which British subjects are defendants:—

(1) The provisions, so far as they can be made applicable in the circumstances for the time being and as amended for the time being by subsequent enactments of the Acts specified in the schedule to this notification, shall be applied.

(2) For the purposes of the said Acts, the Chief Commissioner of Assam shall be deemed to be the Local Government.

(3) For the purpose of facilitating the application of the said Acts in any case, any of their provisions may be construed with such alterations not affecting the substance as may be necessary or proper to adapt them to the circumstances of that case.

(4) There shall be a Court of Small Causes, with jurisdiction in all suits cognizable under the Provincial Small Cause Courts Act, 1887, when the amount or value of the subject-matter does not exceed five hundred rupees, and the Political Agent, Manipur, for the time being shall be the Judge of the Court of Small Causes. IX of 1887.

(5) The Political Agent, Manipur, for the time being shall exercise the powers of a District Court, as described in the Code of Civil Procedure, with jurisdiction in all original suits, whatever be the amount or value of the subject-matter, and in all other cases in which jurisdiction is conferred on the District Court by any of the Acts specified in the schedule to this notification. XIV of 1882.

Administration of Civil Justice in cases in which British subjects are defendants—concluded.

(6) Subject to the provisions of the Acts specified in the schedule to this notification, appeals from decrees and orders made by the Political Agent in exercise of the powers of a District Court shall lie to the Chief Commissioner of Assam, who shall exercise the powers of a High Court for all purposes whatsoever connected with the administration of Civil justice in the cases to which this notification applies.

THE SCHEDULE.

ACTS OF THE GOVERNOR GENERAL IN COUNCIL.

Number and year.	Subject.
X of 1865	Succession.
I of 1872	Evidence.
IX of 1872	Contract.
XV of 1877	Limitation.
V of 1881	Probate and Administration.
XIV of 1882	Civil Procedure.
IX of 1887	Provincial Small Cause Courts.
VI of 1888	Debtors.
VII of 1889	Succession Certificates.

[See *Gazette of India*, 1891, Pt. I, p. 123.]

CHAPTER III.

NORTH-EASTERN FRONTIER TRIBES:

Comprising the following tribes, namely :—

The Khamptees, Singhphoos, Akas, Abors, Duflas, and Meris.

[For the relations of the British Government with these tribes, *see* Aitchison's Treaties, Vol. I, pages 227—246.]

There are no British Enactments, so far as is known, in force locally in the country occupied by these tribes.

Notes.

I.—Khamptees.—By an agreement entered into with the Khamptees in 1843 (*see* Aitchison's Treaties, Vol. I, No. CIII), it was arranged that, while all petty crimes and offences occurring amongst themselves should be settled by the Chiefs of their villages, in all heinous offences, the offenders, with their respective witnesses, should be made over to the Political Agent for trial. This agreement was subject to revision and alteration at the end of ten years, as might seem best to the British Government.

II.—Singhphoos.—By an agreement in 1836 (*see* Aitchison's Treaties, Vol. I, No. CV), the Singhphoo Chiefs are permitted to administer justice in their respective villages according to custom, and to settle all disputes among their dependents, and undertake to submit any disputes that may arise between their clans to the arbitration of the British Government instead of having recourse to arms.

III.—Akas.—By agreements entered into with the Akas (*see* Aitchison's Treaties, Vol. I, Nos. CVI to CVIII), the Akas have promised to act up to any orders that may be given them by the British Government, and bound themselves to abide by the decision of the British Courts with respect to their grievances, and to give up any of their people who have been guilty of crime in the plains.

IV.—Abors.—These tribes (divided into the Meyong Abors, the Dihang-Debang Abors, and the Bor Abors) have, by various agreements (*see* Aitchison's Treaties, Vol. I, Nos CIX to CXI), engaged, in the event of any dispute arising between them and British subjects, to appeal to the Deputy Commissioner for redress and abide by his decision.

V.—Duflas and Meris.—No agreements appear to have been entered into with these tribes.

PART IV.—THE BRITISH ENACTMENTS IN FORCE LOCALLY IN THE NATIVE STATES UNDER THE POLITICAL CONTROL OF THE CHIEF COMMISSIONER OF BURMA.

THE STATE OF EASTERN KARENNE.

[For the relations of the British Government with Karenné, *see* Aitchison's Treaties, Vol. I, pages 262—264 and page 284. By a recent Sanad, the Chief has undertaken to deliver up criminals who take refuge in his State, and is prohibited from exercising criminal jurisdiction over British subjects, being bound in the case of criminal charges against such persons to represent the matter to the Superintendent of the Shan States.]

There are no British Enactments, so far as is known, in force locally in this State.

APPENDIX A.

The Shan States.

These States, as being part of the territories formerly governed by King Thebaw, became part of Her Majesty's dominions from the 1st January, 1886 (*see* Proclamation of that date in *Gazette of India*, 1886, Part I, page 1), and part of British India from the 26th February, 1886 (*see* Notification No. 791-E., dated the 4th May, 1886, in *ibid*, Part I, page 311). They have been dealt with by the British Legislature in the Upper Burma Laws Act, XX of 1886, sections 6, 7 and 8, and the Shan States Act, XV of 1888, and the Rules and Orders made thereunder.

The practical effect of these enactments has been generally to maintain the system of Native administration which, on the annexation of Upper Burma, the British Government found in existence in these States, the various Chiefs being vested (save in the case of the petty Chiefs in the tract known as the Myelat, which is under more direct control), with the administration of civil and criminal justice and the collection of the revenue within their States, under their own laws, subject only to the control of the British Government. The criminal jurisdiction of the Chiefs does not, however, extend to Europeans or Americans or Military Police-officers, or other servants of the Government, or British subjects who are not natives of Shan States.

For the above Acts, and the Rules and Orders thereunder made prior to the 15th June, 1889, *see* the Burma Code, 1889, pages 364—366, 372 and 373, and Appendix, Part III. For the Rules and Orders subsequently made, see *infra*.

RULES AND ORDERS RELATING TO THE SHAN STATES, ISSUED SINCE THE 15TH JUNE, 1889.

Notification appointing the Superintendents and Assistant Superintendents, Shan States, to be 1st class Magistrates and Justices of the Peace for certain States.

No. 6, dated the 1st August, 1889.—In continuation of Notifications Nos. 4 and 5, dated the 30th May 1889, [1] and with reference to sections 46 and 47 of the Lower Burma Courts Act, 1889, the Chief Commissioner of Burma, with the previous sanction of the Governor General in Council, is pleased to appoint every European British subject, for the time being holding the office of Superintendent or Assistant Superintendent of the Northern Shan States, or of the Shan States, to be a Magistrate of the first class and a Justice of the Peace within, and for the whole of, the Shan States, as defined in the Shan States Act, 1888, except the States of Momeik, Wuntho, Thaungthut, Kale, Kantigyi, and Zingalein Kanti.

XI of 1889.

XV of 1888.

[See *Burma Gazette*, 1889, Pt. I, p. 349.]

Notification extending portions of certain enactments with modifications to all the Shan States.

No. 7, dated the 28th August, 1889.—In exercise of the powers conferred by section 8, subsection (*1*), of the Upper Burma Laws Act, XX of 1886, and by section 5 of the Shan States Act, XV of 1888, the Chief Commissioner of Burma, with the previous sanction of the Governor General in Council, is pleased to extend to all Shan States, for the time being notified under section 8, subsection (*3*), of the said Upper Burma Laws Act, sections 14 and 19 of the Foreign Jurisdiction and Extradition Act, XXI of 1879, and so much of sections 15 to 18 (both inclusive) of the Act last mentioned as have reference to section 14 of that Act.

2. The aforesaid portions of the Foreign Jurisdiction and Extradition Act, XXI of 1879, are extended to the Shan States subject to the following modifications, namely, that the functions assignable to, or exercisable by, a Magistrate thereunder shall be assigned to, or exercised by, the following persons:—

(*a*) The Superintendent or Assistant Superintendent for the time being of the Northern Shan States, as regards the States of North and South Theinni, Taungbaing, Thibaw, Mainglôn, Maingtôn, and Thônzè;

(*b*) the Deputy Commissioner for the time being of the Katha District, as regards the State of Wuntho;

(*c*) the Deputy Commissioner for the time being of the Upper Chindwin District, as regards the States of Kale and Thaungthut;

(*d*) the Deputy Commissioner for the time being of the Ruby Mines District, as regards the State of Momeik; and

(*e*) the Superintendent or Assistant Superintendent for the time being of the Shan States, as regards all other Shan States.

[See *Burma Gazette*, 1889, Pt. I, p. 379.]

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[1] Printed, Burma Code, Ed. 1889, pp. 502 and 504, respectively.

APPENDIX A.—THE SHAN STATES—*continued.*

Notification providing for the administration of Criminal Justice as regards certain British subjects in certain Shan States.

No. 8, dated the 5th September, 1889.—Under section 8, sub-section (*1*), of the Upper Burma Laws Act, XX of 1886, and sections 4 and 5 of the Shan States Act, XV of 1888, the Chief Commissioner of Burma, with the previous sanction of the Governor General in Council, is pleased to make the following orders with respect to the administration of criminal justice in the Shan States of Wuntho, Kale, Thaungthut, and Momeik in cases in which an European or American, or a Military Police-officer, or other servant of the Government, or a British subject who is not a native of any Shan State, is concerned either as complainant or as accused:—

1. So much of Acts XLV of 1860, VI of 1864, XXVII of 1870, V of 1871, XIX of 1872, VIII of 1882, IX of 1882, and X of 1886, as is in force in any part of Upper Burma at the date of these orders, and, subject to the modifications hereinafter appearing, so much of the Code of Criminal Procedure, 1882, and of the Upper Burma Criminal Justice Regulation, VII of 1886, as is so in force and has reference to the judicial functions of Magistrates of the first class and of District Magistrates, either as such, or as Judges of Courts of Session, are hereby extended to the said States. X of 1882.

2. Each of those States shall be deemed to be a District and a Sessions Division.

3. The Deputy Commissioners for the time being of the districts of Katha, the Upper Chindwin, and the Ruby Mines, shall be District Magistrates, and as such, Judges of Courts of Session for the State of Wuntho, for the States of Kale and Thaungthut, and for the State of Momeik, respectively, and the Sub-divisional Magistrates of Kawlin and Paungbyin, and the Sub-divisional Magistrate of Mingin, and the Assistant Commissioner or Extra Assistant Commissioner at Kalemyo, for the time being shall be Magistrates of the first class; the two first-named for the States of Wuntho and Thaungthut, respectively, and the two last-named for the State of Kale, with power to try such offences, and pass such sentences as a District Magistrate may be empowered to try and, when so empowered, may pass under sections 30 and 34, respectively, of the Code of Criminal Procedure, 1882. X of 1882.

4. With reference to sections 46 and 47 of the Lower Burma Courts Act, 1889, every European British subject, for the time being holding the office of such Deputy Commissioner, Sub-divisional Magistrate, Assistant Commissioner or Extra Assistant Commissioner, is hereby appointed to be a Magistrate of the first class and a Justice of the Peace within the limits over which jurisdiction is conferred on him by clause 3 of this notification. XI of 1889.

5. Subject to the provisions of section XV of the Schedule to the Upper Burma Criminal Justice Regulation, VII of 1886, an appeal shall lie from a judgment or order of any Sub-divisional Magistrate to the Deputy Commissioner to whom he is subordinate, from a judgment or order of the Assistant Commissioner or Extra Assistant Commissioner at Kalemyo to the Deputy Commissioner of the Upper Chindwin District, and from a judgment or order of any Deputy Commissioner to the Commissioner to whom he is subordinate.

6. Except in reference to proceedings against European British subjects or persons jointly charged with European British subjects, the Commissioner of the Northern Division and the Commissioner of the Central Division shall be the highest Courts of Criminal Appeal or Revision for the States of Wuntho and Momeik and for the States of Kale and Thaungthut, respectively, and may discharge in respect of those States any of the functions of a High Court under the Code of Criminal Procedure, 1882, and no sentence of death passed by any Deputy Commissioner shall be carried into effect until it has been confirmed by the Commissioner to whom he is subordinate. X of 1882.

[See *Burma Gazette*, 1889, Pt. I, p. 384.]

Notification providing for the exercise of general control by certain British officers over the administration of Criminal Justice in certain Shan States.

No. 9, dated the 5th September, 1889.—Under section 4, sub-section (*1*), clause (*a*), of the Shan States Act, XV of 1888, the Chief Commissioner of Burma is pleased to appoint the Deputy Commissioners, for the time being, of the Districts of Katha, the Upper Chindwin, and the Ruby Mines to exercise a general control over the administration of Criminal Justice within the Shan States of Wuntho, the Shan States of Kale and Thaungthut, and the Shan State of Momeik, respectively, and under section 4, sub-section (*1*), clause (*b*), of the same Act, with the previous sanction of the Governor General in Council, to make the following orders, namely:—

1. In exercise of such control as aforesaid, the Deputy Commissioner, for the time being, of the District of Katha, the Upper Chindwin or the Ruby Mines, may call for the record of any case which is pending before, or has been disposed of by, the Chief of the State of Wuntho, the Chief of

Notification providing for the exercise of general control by certain British officers over the administration of Criminal Justice in certain Shan States—contd.

the States of Kale or of Thaungthut, or the Chief of the State of Momeik, as the case may be, and may—

(*a*) stay the proceedings of the Chief;
(*b*) modify or cancel any order passed by the Chief which is not in accordance with justice, equity, and good conscience;
(*c*) try and decide the case himself.

X of 1882. 2. In exercising the powers conferred by this Notification the Deputy Commissioner shall observe the procedure prescribed for Magistrates by the Code of Criminal Procedure, 1882, as modified by the Upper Burma Criminal Justice Regulation, VII of 1886.

[See *Burma Gazette*, 1889, Pt. I, p. 385.]

Notification modifying the customary law of all the Shan States, except the Myelat, as to capital sentences.

XV of 1888. *No. 10, dated the 5th September, 1889.*—In exercise of the power conferred by section 4, sub-section (*1*), clause (*d*), of the Shan States Act, 1888, the Chief Commissioner is pleased to make the following orders modifying the customary law of all the Shan States, except the States known as the Myelat, where criminal jurisdiction is vested only in the Magistrates and Judges appointed by the Government:—

1. No capital sentence shall be executed except by the explicit order of the Chief of the State in which the offence, in respect of which the sentence is passed, was committed.

2. In any case in which the accused is liable on conviction to capital punishment, the official conducting the trial shall examine the witnesses for the prosecution and for the defence (if any) in the presence of the accused, shall give the accused an opportunity of defending himself, and shall record a proceeding embodying the finding and sentence, and the reasons therefor.

[See *Burma Gazette*, 1889, Pt. I, p. 385.]

Notification rectifying the Boundaries of the State of Momeik.

XX of 1880. *No. 11, dated the 1st October, 1889.*—In exercise of the powers conferred by section 3, clause (*a*), and section 8, sub-section (*3*), of the Upper Burma Laws Act, 1886, the Chief Commissioner, with the previous sanction of the Governor General in Council, is pleased to direct that the circles or kayaings of Twinnge and Daungboungaywa, comprising the local area included in the boundaries specified below, shall, with effect from the date of this notification, cease to be a part of the territories constituting the Shan State of Momeik, and shall be added to, and form a part of, the Ruby Mines district:—

Boundaries.

North.—The Shwelaungchaung, from its mouth to a point about 10 miles eastward.
South.—The Udaungchaung, from its mouth to the Yegyotaungdan, approximately 15 miles from the Irrawaddy river.
East.—From the Shwelaungchaung, a line running southward along the ridges known as Lethadaung and Yegyotaungdan to the eastern limit of the southern boundary on the Udaungchaung.
West.—The Irrawaddy river.

[See *Burma Gazette*, 1889, Pt. I, p. 430.]

Notification extending certain portions of the Code of Criminal Procedure and the Upper Burma Criminal Justice Regulation to the Myelat.

IX of 1886. I of 1882. VII of 1886. (1)*No. 13, dated the 28th November, 1889.*—Under section 8, sub-section (*1*), of the Upper Burma Laws Act, 1886, the Chief Commissioner of Burma is pleased, with the previous sanction of the Governor General in Council, to extend so much of the Code of Criminal Procedure and of the Upper Burma Criminal Justice Regulation as is in force in any part of Upper Burma at the date of this notification to the tract known as the Myelat and comprising the States of Ywangan, Kyaukkuleywa, Pwehla, Pindaya, Bawzaing, Kyôn, Nankôn, Thamaingkan (including the old States of Magwè, Lwè-an, Taunghla and Myinmati), Pinhmi, Lwè-è, Lwèmaw, Nauke, Nantôk, Lwèlôn and Sagwè.

II. From the date of this notification so much of Notification No. 1, dated the 4th March, 1889,(2) published in the *Burma Gazette* of the 9th March, 1889, Part I, page 98, as extended so much of the Code of Criminal Procedure and of the Upper Burma Criminal Justice Regulation as was in force in any part of Upper Burma at the date of that notification, and had reference to the judicial functions of Magistrates of the first class and of District Magistrates either as such, or as Judges of Courts of Session, is hereby superseded.

X of 1882. VII of 1886

[See *Burma Gazette*, 1889, Pt. I, p. 480.]

(1) No. 12 is a personal Notification and will be found at p. 430 of Part I of the *Burma Gazette* of 1889.
(2) Printed, Burma Code, Ed. 1889, p. 500.

APPENDIX A.—THE SHAN STATES—*continued.*

Notification empowering the Superintendent, Shan States, to withdraw cases from Subordinate Magistrates.

No. 14, dated the 28th November, 1889.—In exercise of the power conferred by section 528 of the Code of Criminal Procedure, 1882, the Chief Commissioner is pleased to authorise the Superintendent of the Shan States exercising the powers of a District Magistrate, under Foreign Department Notifications No. 1, dated the 4th March, 1889(1), and No. 4, dated the 30th May, 1889(2), to withdraw from Magistrates subordinate to him such classes of cases as he thinks proper. X of 1882.

[See *Burma Gazette*, 1889, Pt. I, p. 480.]

Notification investing the Ngwekunhmu of certain States in the Myelat with the powers of a Magistrate of the 2nd class.

No. 15, dated the 28th November, 1889.—In exercise of the power conferred by section 12 of the Code of Criminal Procedure, 1882, as modified by the Upper Burma Criminal Justice Regulation, 1886, and section 4, sub-section (*1*), clause (*a*), of the Shan States Act, 1888, the Chief Commissioner is pleased to appoint the Ngwekunhmu for the time being of each of the undermentioned States in the Myelat, namely :— X of 1882. XX of 1886. XX of 1888.

Ywangan,	Kyôn,	Lwèmaw,
Kyaukkuleywa,	Nankôn,	Nankè,
Pwehla,	Thamaingkan.	Nantôk,
Pindaya,	Pinhmi,	
Bawzaing,	Lwè-è,	

to be a Magistrate of the second class, and to exercise jurisdiction as such within the local limits of the State which he administers.

[See *Burma Gazette*, 1889, Pt. I, p. 481.]

Notification empowering the Assistant Superintendent, Shan States, to hear appeals from 2nd class Magistrates in the Myelat.

No. 16, dated the 28th November, 1889.—With reference to the provisions of section 407 of the Code of Criminal Procedure, 1882, and to Foreign Department Notifications No. 1,(1) dated the 4th March, 1889, and No. 13, dated the 28th November, 1889(3), the Chief Commissioner empowers the Assistant Superintendent of the Shan States for the time being to hear appeals from Magistrates of the second class exercising powers as such in the Myelat. X of 1882.

[See *Burma Gazette*, 1889, Pt. I, p. 481.]

Notification extending the Upper Burma Forest Regulation, 1890, to the Shan States.

No. 177, dated the 23rd October, 1890.—In exercise of the power conferred by section 8, sub-section (*1*), of the Upper Burma Laws Act, 1886, the Chief Commissioner is pleased, with the previous sanction of the Governor General in Council, to extend the Upper Burma Forest Regulation, 1890, to all the territories which may, from time to time, be declared by notification under section 8, sub-section (*3*), of the said Upper Burma Laws Act, 1886, to constitute the Shan States. XX of 1886. VIII of 1890

[See *Burma Gazette*, 1890, Pt. I, p. 486.]

Notification extending the Christian Marriage Act, 1872, with modifications, to certain of the Shan States.

No. 267, dated the 5th November, 1890.—In exercise of the powers conferred by section 8, sub-section (*1*), of the Upper Burma Laws Act, 1886, and section 5 of the Shan States Act, 1888, the Chief Commissioner of Burma, with the previous sanction of the Governor General in Council, is pleased to extend to the whole of the territories declared by notification under section 8, sub-section (*3*), of the Upper Burma Laws Act, 1886, to constitute the Shan States, with the exception of the State of Momeik and the States west of the Irrawaddy river, the Indian Christian Marriage Act, 1872, except Part VI thereof (as amended by the Births, Deaths, and Marriages Registration Act, 1886), subject to the following modifications :— XX of 1886. XV of 1888. XV of 1872. VI of 1886.

(*1*) In this Notification the expression "Northern Shan States" includes the States of North and South Theinni, Taungbaing, Thibaw, Mainglôn, Maingtôn, and Thônzè, and the expression "Southern Shan States" includes all other Shan States east of the Irrawaddy river, except the State of Momeik.

(1) Printed, Burma Code, Ed. 1889, p. 500.
(2) Printed, *ibid*, p. 502.
(3) Printed, *supra*, p. 54.

Notification extending the Christian Marriage Act, 1872, with modifications, to certain of the Shan States—contd.

(2) The Southern Shan States and the Northern Shan States, respectively, shall each be deemed to be a district for the purposes of the said Act, and the Superintendent of the Shan States and the Superintendent of the Northern Shan States shall be deemed to have been appointed by office to be Marriage Registrars for the Southern Shan States and the Northern Shan States, respectively.

(3) The powers conferred and the duties imposed by section 45, section 46, section 48, and section 49 of the said Act, on the District Judge, shall be exercised and discharged as regards the Shan States by the Local Government of Burma.

(4) In section 72 of the said Act, the words "a competent Court" shall be deemed to include the Local Government of Burma.

[See *Burma Gazette*, 1890, Pt. I, p. 537.]

Notification modifying the Customary Law of certain of the Shan States as to Offences and Punishments.

No. 11, dated the 19th November, 1890.—In exercise of the power conferred by section 4, sub-section (*l*), clause (*d*), of the Shan States Act, 1888, the Chief Commissioner is pleased to direct that the customary law of all the Shan States which are under the charge of the Superintendent of the Shan States and the Superintendent of the Northern Shan States shall be modified to the extent and in the manner indicated in the following rules: These rules do not apply to the Myelat, in which the Indian Penal Code and the Code of Criminal Procedure are in force:— XV of 1888. XLV of 1860. X of 1882.

(*a*) *Rules regarding Offences and Punishments.*

1. The punishments which may be inflicted are—

(i) death; (ii) imprisonment; (iii) whipping; (iv) fine; (v) confiscation of property.

The punishment of death or confiscation of property shall be inflicted only on persons convicted of rebellion against the British Government or against the Chief of the State, or of wilful murder.

2. When a person wilfully and maliciously kills another, the crime is murder. Persons convicted of murder shall be punished with death or with imprisonment for life or any shorter period, and shall also be liable to fine.

When a person kills another without lawful excuse, but on grave provocation, or intending to cause him hurt, but without the intention of causing his death, the crime is not murder. Such person shall be punished with imprisonment for any period, or with fine, or with both.

3. Attempt to commit murder shall be punished with imprisonment up to seven years, or with fine, or with whipping.

4. Persons convicted of dacoity or robbery, or of harbouring dacoits or robbers, shall be punished with imprisonment up to seven years, or with fine, or with whipping, or with any two or more of these punishments. If murder is committed by robbers or dacoits in the commission of the robbery or dacoity, all the persons concerned in the robbery or dacoity shall be liable to be punished for murder.

5. Wilfully causing hurt to any person shall be punished with fine which may extend to Rs. 200, the amount of the fine to be regulated according to the nature of the hurt inflicted. The whole or part of the fine imposed shall be paid to the injured person.

6. Rape shall be punished with imprisonment up to seven years, or with fine up to Rs. 300, or with whipping, or with any two or more of these punishments.

7. Petty theft or receiving stolen property shall be punished with whipping, and with fine up to twice the value of the stolen property. If the property is not recovered, the person whose property was stolen shall receive the whole or part of the fine as compensation.

8. Adultery shall be punished with fine up to Rs. 300. The fine shall be paid to the husband of the woman with whom the adultery was committed.

9. Attempts to commit offences shall be punished with a penalty not exceeding half the penalty for the offence.

10. In all cases not provided for in these rules the customary law of the Shan States shall be followed, provided that the punishment of death shall not be inflicted except for the offences specified in these rules.

(*b*) *Rules of Procedure.*

1. Criminal cases shall be tried by the Chief of the State, or by such officers as he may appoint to try criminal cases. The order of appointment shall be in the annexed form.

APPENDIX A.—THE SHAN STATES—*continued.*

Notification modifying the Customary Law of certain of the Shan States as to offences and punishments—contd.

2. The Chief of the State may impose any punishment authorised by law. The punishments which any other officer may inflict shall be determined by the Chief, and shall be specified in the order of his appointment.

3. The Chief alone shall have power to inflict the punishment of death. In cases tried by other officers in which any person is sentenced to death the sentence shall not be carried out until confirmed by the Chief of the State.

4. Any person sentenced for an offence may appeal to the Chief of the State.

5. Criminal trials shall be held in the presence of the accused. All evidence shall be given on oath.

6. At every trial the complainant and his witnesses shall be examined in the presence of the accused and the accused shall be allowed to ask them questions. When the complainant and his witnesses have been examined the accused shall be called upon for his defence, and if he desires to call witnesses they shall be called and examined.

7. The Chief of the State and all officers empowered by him to try cases shall keep a record of the cases tried by them and of the sentence passed in each case.

8. In ordinary cases the Magistrate shall record—

(i) nature of offence;
(ii) date of commission;
(iii) date of complaint or report;
(iv) name of complainant (if any);
(v) name and residence of accused;
(vi) the orders passed.

9. In more important cases, where the accused is liable to death, to imprisonment for more than one year, or to fine exceeding Rs. 250, the Magistrate shall also record, in addition to the first five points noted in the last paragraph,—

(vii) if the case relates to loss of or damage to property, the value of the property concerned;
(viii) the plea of the accused and his examination (if any);
(ix) the names of the witnesses for the prosecution;
(x) the names of the witnesses (if any) for the defence;
(xi) the finding and, in case of conviction, a brief statement of the reasons therefor;
(xii) the sentence or final order;
(xiii) date of sentence or final order.

10. Accused persons shall be tried as soon as possible and shall not be kept in custody for a long time without trial.

11. Women, old men and sick persons shall not be whipped. No whipping in excess of 30 stripes shall be inflicted.

12. Persons sentenced to imprisonment shall be confined in such suitable place as the Chief of the State may appoint for this purpose. In special cases, when a long term of imprisonment has been awarded and it is important to prevent the prisoner's escape, the Superintendent of the Shan States or the Superintendent of the Northern Shan States may, with the sanction of the Chief Commissioner, direct the removal of the prisoner to a jail in Burma.

13. Persons sentenced to death shall be shot or hanged. Bodies shall not be crucified in any case.

ORDER OF APPOINTMENT.[1]

_____ of _____

is empowered to try criminal cases and to inflict the undernoted punishments:—

(Seal or signature of Chief.)

[See *Burma Gazette*, 1890, Pt. I, p. 553.]

[1] *See* Rule 1, under head (*b*), *supra*, p. 56.

APPENDIX A.—THE SHAN STATES—*concluded.*

Notification extending the Administrator General's Act, II of 1874, to the Shan States, and arranging for the exercise of jurisdiction thereunder.

XX of 1886. *No. 2, dated the 26th February, 1891.*—In exercise of the powers conferred by section 8, sub-section (*1*), of the Upper Burma Laws Act, 1886, the Chief Commissioner, with the previous sanction of the Governor General in Council, is pleased to extend to all the Shan States for the time being notified under section 8, sub-section (*3*), of the said Act, the Administrator General's Act, II of 1874. 1874, as amended by Acts I of 1879, IX of 1881, and II of 1890.

XX of 1888. *No. 3, dated the 26th February, 1891.*—In exercise of the powers conferred by section 4, sub-section (*1*), clause (*e*), of the Shan States Act, 1888, the Chief Commissioner, with the previous sanction of the Governor General in Council, is pleased to direct that the jurisdiction, powers, and II of 1874. duties exercised and performed by District Judges under the Administrator General's Act, 1874, as amended by Acts I of 1879, IX of 1881, and II of 1890, shall be exercised and performed in Southern Shan States by the Superintendent, Shan States, in the Northern Shan States by the Superintendent, Northern Shan States, and in the State of Momeik by the Deputy Commissioner of the Ruby Mines district, in the State of Wuntho by the Deputy Commissioner of the Katha district, and in the States of Kale, Thaungthut, and Zingalein Kanti by the Deputy Commissioner of the Upper Chindwin district.

In this order the expression "Northern Shan States" includes the States of Northern and Southern Theinni, Taungbaing, Thibaw, Mainglôn, Maingtôn and Thônzè, and the expression "Southern Shan States" includes all other Shan States east of the Irrawaddy river, except the State of Momeik.

[*See Burma Gazette*, 1891, Pt. I, p. 92.]

Notification as to hearing of appeals.

X of 1882. *No. 142, dated the 5th May 1891.*—In exercise of the power conferred by section 422 of the Criminal Procedure Code, 1882, the Chief Commissioner appoints the Superintendent of the Shan States and the Superintendent of the Northern Shan States to be for the Southern Shan States and the Northern Shan States respectively the officer to whom the Appellate Court, in cases to which Foreign Department Notification No. 4, dated the 30th May, 1889, (1) is applicable, shall cause notice to be given of the time and place at which such appeal will be heard.

[*See Burma Gazette*, 1891, Pt. I, p. 173.]

(1) Printed, Burma Code, Ed. 1889, p. 502.

APPENDIX B.

Siam.

The territories of Cheingmai, Lakon and Lamponchi.—In 1883 a special Treaty (1) was concluded between Her Majesty and the King of Siam, having for its objects the more effectual prevention of crime in the territories of Cheingmai, Lakon and Lamponchi belonging to Siam, and the promotion of commercial intercourse between British Burma and the territories aforesaid. This treaty abrogated the Treaty of the 14th January, 1874, between the Government of India and Siam (*see* Aitchison's Treaties, Vol. I, No. CLVII), and provided (amongst other matters) for the establishment of a Court at Cheingmai, to exercise civil and criminal jurisdiction in all cases arising in Cheingmai, Lakon and Lamponchi between British subjects, or in which British subjects might be parties as complainants, accused, plaintiffs, or defendants, according to Siamese law, subject to the conditions, (*a*) that the British Consul might be present at any trial and make suggestions to the Court; and (*b*) that he might, on application before judgment, require the transfer to the British Consular Court of any case in which both parties were British subjects, or in which the accused or defendant was a British subject. By Article IX an appeal was granted from the decision of this Court to Bangkok, to be disposed of there by the Siamese authorities in consultation with the Consul General. The procedure of the Court established as above stated and appeals from its decisions are regulated by rules issued under the authority of the King of Siam, who has also issued two royal decrees (in 1885 and 1887) providing for the carrying out of the stipulations of the Treaty.

By a Notification No. 5-J., dated the 9th January, 1875 (see *Gazette of India*, 1875, Part I, page 39), which is still in force, the officer for the time being in charge of the Salween District was appointed, under section 3 of Act XI of 1872,(2) to exercise all the powers of a Political Agent under the above Act for these territories.

Certain Notifications, Nos. 6-J. and 15-J., dated, respectively, the 9th January and the 22nd July, 1875, delegating powers to certain British officials in Burma in respect of these territories, and prescribing fees to be levied in civil suits arising between parties in these territories, having become obsolete owing to the abrogation of the Treaty of 1874 above referred to, were formally cancelled by Government of India Notification No. 1589E., dated the 4th August, 1887—see *Gazette of India*, 1887, Pt. I, p. 400.

The general relations of the British Government with the State of Siam are regulated by a Treaty, dated the 28th April, 1855, and a supplementary Agreement, dated the 13th May, 1856 (*see* Aitchison's Treaties, Vol. I, page 363, and Nos. CLIII & CLIV). Her Majesty's jurisdiction in this kingdom is now defined and regulated by an Order in Council, dated the 28th November, 1889 (see *Gazette of India*, 1890, Pt. I, p. 107), which has superseded all previous Orders.

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(1) A supplementary Article defining what are the territories of His Majesty the King of Siam conterminous with British Burma, and providing for identical definitions of the crimes mentioned in the annexure to the said Treaty, was entered into in 1885. The treaty, with the supplementary article just mentioned, is published under Notification No. 6, dated the 18th May 1891, in the *Burma Gazette*, 1891, Pt. I, p. 186.

(2) *See* now Act XXI of 1879, ss. 2 and 3.

PART V.—THE BRITISH ENACTMENTS IN FORCE LOCALLY IN THE NATIVE STATES UNDER THE POLITICAL CONTROL OF THE LIEUTENANT-GOVERNOR OF THE NORTH-WESTERN PROVINCES.

THE STATES OF RAMPUR AND GARHWAL OR TEHRI.

THE STATES OF RAMPUR AND GARHWAL OR TEHRI.

[For the relations of the British Government with these States, *see* Aitchison's Treaties, Vol. II, pages 1—32. The Commissioner of Rohilkhand is the Agent of the Lieutenant-Governor of the North-Western Provinces for Rampur, and exercises the powers of a Political Agent under Chapters IV and V of the Foreign Jurisdiction and Extradition Act, 1879, for that State (*see* Notification No. 20-I., dated 1st January, 1891, in *Gazette of India*, 1891, Part I, page 8. The Commissioner of Kumaon is the Agent of the Lieutenant-Governor of the North-Western Provinces for Garhwal or Tehri.]

The British Enactments in force locally in these States consist of—

British-Indian Enactments, namely,—

Local Rules and Orders—

under Acts in force generally in all Native States in India.

THE STATES OF RAMPUR AND GARHWAL OR TEHRI—*continued.*

British-Indian Enactments.

Local Rules and Orders under Acts in force generally in all Native States in India.

Year.	No.	Subject of Act.	Section.	Subject of Notification.	Notification.
1879	XXI	Foreign Jurisdiction and Extradition.	4 & 6	Appointing the Agent to the Lieutenant-Governor for Rampur to be a Justice of the Peace for that State.	*No. 1883-I., dated the 7th July, 1883.*—In exercise of the powers conferred by sections 4 and 6 of Act XXI of 1879 (the Foreign Jurisdiction and Extradition Act, 1879), the Governor General in Council is pleased to appoint the officer holding for the time being the office of Commissioner of Rohilkhand and Agent of the Lieutenant-Governor of the North-Western Provinces for Rampur, provided that such officer be a European British subject, to be a Justice of the Peace within the territories of the Nawab of Rampur. [See *Gazette of India*, 1883, Pt. I, p. 289.]
1886	VI	Births, Deaths and Marriages Registration.	13, 24 (*2*) & 32.	Appointing the Magistrate of Bareilly and the Senior Assistant Commissioner of British Garhwal to be Registrars of Births and Deaths in respect of certain classes of persons for the Rampur and Tehri States, respectively, and the Registrar General, North-Western Provinces, to be the Registrar-General for the same States.	*No. 341-I., dated the 25th January, 1889.*—In exercise of the powers conferred by section 13 of the Births, Deaths and Marriages Registration Act, VI of 1886, the Governor General in Council is pleased to appoint the persons, for the time being holding the offices of Magistrate of Bareilly and Senior Assistant Commissioner of British Garhwal, to be Registrars of Births, Deaths and Marriages[1] in respect of the classes of persons indicated in section 11, sub-section (*1*), clause (*b*), of the said Act for the Rampur and Tehri States, respectively. 2. For the purposes of section 24, sub-section (*2*), and section 32 of the said Act, the Governor General in Council is further pleased to appoint the Registrar-General of Births, Deaths and Marriages for the North-Western Provinces and Oudh, for the time being, to be the Registrar-General for the Rampur and Tehri States. [See *Gazette of India*, 1889, Pt. I, p. 53.]

[1] *Sic.*

THE STATES OF RAMPUR AND GARHWAL OR TEHRI—*concluded.*

Supplementary Notes.

I.—Delegation of functions with respect to suits against the Nawab of Rampur and the Raja of Tehri.—By Notification No. 1369-I., dated the 29th March, 1889, the Local Government of the North-Western Provinces and its Secretaries have been authorised, under section 433, sub-section (*4*), of the Code of Civil Procedure, to exercise, in respect of the Nawab of Rampur and the Rájá of Tehri, the functions assigned by sub-sections (*1*), (*2*) and (*3*) of the said section to the Governor General in Council and a Secretary to the Government of India, respectively. (See *Gazette of India*, 1889, Part I, page 187.)

II.—Railway Lands.—In 1864 the Nawab of Rampur ceded in full sovereignty to the British Government the lands in his territory required for the Oudh and Rohilkhand Railway. (*See* Aitchison's Treaties, Vol. II, pages 3 and 25.)

III.—Garhwal Forest.—By an agreement entered into in October, 1865, the Rájá of Garhwal leased all the forests in his territories to the British Government for a period of twenty years, with option to the British to extend the lease for two further similar periods, and undertook to aid to the utmost of his power in the protection of the forests and in the punishment of offenders infringing the forest rules and regulations laid down by the Conservator. He also declared that he would regard the infringement of such rules as an offence and would punish the offenders. (*See* Aitchison's Treaties, Vol. II, No. XVII.)

IV.—Benares.—The powers of the Rájá of Benares over his family domains are regulated by Bengal Regulation VII of 1828 as amended by Act XIV of 1881, and the rules made thereunder. The superintendence of these domains is vested in the Commissioner of the Benares Division.

V.—Kapurthala Estates in Oudh.—By Notification No. 2665-I., dated the 4th July 1889, the Local Government of the North-Western Provinces and Oudh and its Secretaries have been authorised, under section 433, sub-section (*4*), of the Code of Civil Procedure, to exercise, in respect of the estates of the Rájá of Kapurthala[1] in Oudh, the functions assigned by sub-sections (*1*), (*2*) and (*3*) of the said section to the Governor General in Council and a Secretary to the Government of India, respectively. (See *Gazette of India*, 1889, Part I, page 380.)

(1) A Trans-Sutlej (Punjab) Chief—*see infra*, p. 73.

PART VI.—THE BRITISH ENACTMENTS IN FORCE LOCALLY IN THE NATIVE STATES UNDER THE POLITICAL CONTROL OF THE LIEUTENANT-GOVERNOR OF THE PANJAB.

CHAPTER I.—THE NATIVE STATES—

(1) The Delhi States.
(2) The Cis-Sutlej States.
(3) The Hill States.
(4) The Trans-Sutlej States.
(5) Bhawalpur.
(6) The Territories of the North-Western Frontier Tribes.

CHAPTER II.—HEAD-WORKS OF THE BHAWALWAH-LODRAN CANAL.

CHAPTER III.—KASUMPTI IN THE KEONTHAL (HILL) STATE.

CHAPTER IV.—THE KHAIBAR PASS.

CHAPTER V.—DEHRA GHAZI KHAN FRONTIER TRACTS.

CHAPTER VI.—RAILWAYS UNDER BRITISH JURISDICTION—

(1) Delhi-Umballa-Kalka.
(2) North-Western.
(3) Rajputana-Malwa—
    (i) Rajputana State Railway.
    (ii) Rewari-Ferozepore Railway.

CHAPTER I.

THE NATIVE STATES.

(1)—THE DELHI STATES:

Comprising the following, namely:—

Pataudi, Luharu, and Dujana.

[For the relations of the British Government with these States, *see* Aitchison's Treaties, Vol. VI, pages 1—12. The Commissioner of the Delhi Division, for the time being, is the Agent to the Lieutenant-Governor in respect of these States.]

There are no British Enactments, so far as is known, in force locally in these States.[1]

Notes.

I.—Delegation of functions with respect to suits against Chiefs.—By Notification No. 1369-I., dated the 29th March, 1889, the Local Government of the Panjab and its Secretaries have been authorised, under section 433, sub-section (*4*), of the Code of Civil Procedure, to exercise, in respect of the Nawabs of these States, the functions assigned by sub-sections (*1*), (*2*) and (*3*) of that section to the Governor General in Council and a Secretary to the Government of India, respectively. (See *Gazette of India*, 1889, Part I, page 187.)

II.—Railway Lands.—Jurisdiction over the lands occupied by the Rajputana State Railway in the Pataudi State, and over those occupied by the Rewari-Ferozepore Railway in the Dujana State, has been acquired by the British Government. (*See* Chapter VI of this Part, *infra*, pages 104 and 108.)

[1] As to the application of sections 4 to 16 (inclusive), 19, 20, 24 and 29 of the European Vagrancy Act, 1874, to Native States within the Panjab, *see* footnote on page 7, *supra*.

(2)—THE CIS-SUTLEJ STATES:

Comprising the following, namely :—

1.—Patiala.	3.—Nabha.	5.—Maleir Kotla.
2.—Jhind.	4.—Kalsia.	6.—Faridkot.

[For the relations of the British Government with these States, *see* Aitchison's Treaties, Vol. VI, pages 49—94. The States of Patiala, Jhind and Nabha are under the immediate political control of the Lieutenant-Governor of the Panjab. The Commissioner of the Delhi Division, for the time being, is the Agent of the Lieutenant-Governor for the States of Kalsia and Maleir Kotla, and the Commissioner of the Jullunder Division for the time being for the State of Faridkot.]

There are no British Enactments, so far as is known, in force locally in these States.[1]

Notes.

I.—Delegation of functions with respect to suits against Chiefs.—By Notification No. 1369-I., dated the 29th March, 1889, the Local Government of the Panjab and its Secretaries have been authorised, under section 433, sub-section (*4*), of the Code of Civil Procedure, to exercise, in respect of the Chiefs of these States, the functions assigned by sub-sections (*1*), (*2*) and (*3*) of that section to the Governor General in Council and a Secretary to the Government of India, respectively. (See *Gazette of India*, 1889, Part I, page 187.)

II.—Railway Lands.—Jurisdiction over the lands occupied by the Sindh, Panjab and Delhi Section of the North-Western Railway in the Patiala and Nabha States, over those occupied by the Rajputana State Railway in the Nabha State, over those occupied by the Rewari-Ferozepore Railway in the Patiala, Jhind, Nabha and Faridkot States, and over those occupied by the Delhi-Umballa-Kalka Railway in the Patiala and Kalsia States, has been acquired by the British Government. (*See* Chapter VI of this Part, *infra*, page 95.)

III.—Criminal Powers.—The Chiefs of Patiala, Jhind, and Nabha have, by Sanads dated the 5th May, 1860 (*see* Aitchison's Treaties, Vol. VI, Nos. XXV, XXXI, and XXXV, respectively), been invested with powers of life and death over their own subjects. With regard to British subjects committing crime and apprehended in their territories, they are to be guided by the rules contained in the Despatch of the Court of Directors to the Madras Government, No. 3, dated 1st June, 1836, which are to the effect that the Chiefs may try British subjects charged with offences alleged to have been committed in their territories, but must deliver up such subjects when charged with the commission of heinous offences in British India.

IV.—Patiala Telegraph line.—By clause 13 of an agreement entered into in 1872 for the construction of a line of telegraph from Umballa to Patiala (see *ib.*, No. XXVIII), it was agreed that jurisdiction in regard to offences against the Telegraph Act, committed in Patiala territory by Native subjects of the British Government or by subjects of the Mahárájá, should be regulated by clause IV of the Sanad, dated the 5th May, 1860, referred to in Note III *supra*, and that European British subjects accused of such offences should be tried by British Courts.

V.—Sirhind Canal.—By clause 28 of an agreement entered into with the States of Patiala, Jhind and Nabha in 1873, for the construction of the Sirhind canal and its branches (see *ib.*, No. XXIX), it was agreed that offenders against Canal Regulations in villages irrigated from the Patiala[2] or British branches, or bordering on Patiala or British branches, should be

(1) As to the application of sections 4 to 16 (inclusive), 19, 20, 24 and 29 of the European Vagrancy Act, 1874, to Native States within the Panjab, *see* footnote, *supra*, p. 7.

(2) *i.e.*, the non-British branches, which *chiefly* pass through the territory of Patiala (*see* clause 4 of the agreement).

made over by the Canal officers for infliction of penalties to the officers of the Government in whose territory those villages were situated, a right of reference to the Panjab Government being allowed in case of any dispute or difference of opinion.

VI.—Minor Cis-Sutlej Chiefs.—There are a large number of Cis-Sutlej Chiefs who have been deprived of their sovereign powers. A few of these have, however, since been appointed Jagirdar Magistrates over their own estates, and in some cases over contiguous Government villages. (*See* Aitchison's Treaties, Vol. VI, page 61).

VII.—Mumdot.—The Nawab of Mumdot (formerly a Cis-Sutlej State) has no magisterial authority whatever within his fief, which is managed by the British Government through the agency of the Commissioner of the Lahore Division. (*See ib.*, pages 60 and 61.)

(3)—THE HILL STATES:

Comprising the following, namely:—

1.—Sirmur or Nahan.	8.—Jabbal.	15.—Bija.
2.—Kahlur or Bilaspur.	9.—Bhajji.	16.—Taroch.
3.—Hindur or Naiagarh.	10.—Kumharsein.	17.—Kunhiar.
4.—Bashahr.	11.—Kuthar.	18.—Sangri.
5.—Keonthal.	12.—Dhami.	19.—Manghul.
6.—Baghal.	13.—Balsan.	20.—Darkuti.
7.—Baghat.	14.—Mailog.	

[For the relations of the British Government with these States, *see* Aitchison's Treaties, Vol. VI, pages 94—136. The Deputy Commissioner of Simla is *ex-officio* Superintendent of these States, subject to the supervision of the Commissioner of the Delhi Division as Agent to the Lieutenant-Governor.]

There are no British Enactments, so far as is known, in force locally in these States.(1)

Notes.

I.—Delegation of functions with respect to suits against Chiefs.—By Notification No. 1369-I., dated the 29th March, 1889, the Local Government of the Panjab and its Secretaries have been authorised, under section 433, sub-section (*4*), of the Code of Civil Procedure, to exercise, in respect of these Chiefs, the functions assigned by sub-sections (*1*), (*2*) and (*3*) of that section to the Governor General in Council and a Secretary to the Government of India, respectively. (*See Gazette of India*, 1889, Part I, page 187.)

II.—Criminal Powers.—Capital sentences passed by these Chiefs require the confirmation of the British authorities before being carried out. (*See* Aitchison's Treaties, Vol. VI, page 95.)

III.—Bashahr Forests.—By Article 6 of an agreement entered into in 1864 with the Rájá of Bashahr as to the lease of his forests (see *ib.*, No. LII), it was agreed that the officer appointed to the forest should have the power of a Subordinate Magistrate, 1st class, defined in section 23 of Act XXV of 1861(2) to try and decide cases of offences against property and property-marks.

IV.—Feudatories of Keonthal.—There are six petty Hill Chiefs—Theog, Koti, Ghoond, Khyrie, Madhan, and Ratesh subordinate to Keonthal—who enjoy the same powers of punishment within their territories as the superior Chiefs. (See *ib.*, pages 99—100.)

V.—Kasumpti.—In regard to the jurisdiction exercised by the British Government in the tract of Kasumpti in the Keonthal Hill State, adjoining the town of Simla, *see* Chapter III of this Part, *infra*, page 81.

VI.—Simla District—Comprises the tracts of Kotguru (acquired about 1815) and Kot Khai (acquired in 1828), the villages of Kalka and Koráli (acquired from Patiala in Lord Hardinge's time), the parganas of Sabathu, Siwah and Barauli (acquired about 1815), the pargana of Simla (acquired partly from Keonthal and partly from Patiala in 1830), Dagshai (acquired from Patiala in 1847 for the purpose of a cantonment), Jutogh (acquired from Patiala in 1843), Kasauli (acquired from Baghat in 1842 for the purpose of a cantonment, additional lands being acquired from Bija for the same purpose in 1844), Sabathu Hill (acquired from Keonthal about 1815, the Khaltú garden in Kuthar being afterwards added), Sanawar (acquired from Baghat in 1852), and Solon (acquired from Baghat in 1863 for the purpose of a rifle practice ground).

(1) As to the application of sections 4 to 16 (inclusive), 19, 20, 24 and 29 of the European Vagrancy Act, 1874, to Native States within the Panjab, *see* footnote on page 7, *supra*.

(2) *i.e.*, the power of a Magistrate of the 2nd class under Act X of 1882 (*see* section 3 of that Act).

(4)—THE TRANS-SUTLEJ STATES:

Comprising the following, namely:—

Kapurthala, Mundi, Chamba, and Suket.

[For the relations of the British Government with these States, *see* Aitchison's Treaties, Vol. VI, Part I, pages 135—159. The Commissioner of the Jullunder Division, for the time being, is the Agent to the Lieutenant-Governor of the Panjab for the States of Kapurthala (which has also a resident British officer as Superintendent), Mundi, and Suket, and exercises the powers of a Political Agent, under Chapters IV and V of the Foreign Jurisdiction and Extradition Act, 1879, for Kapurthala. (*See* Notification No. 71-I., dated the 7th January 1891, in *Gazette of India*, 1891, Part I, page 15.) The Commissioner of the Lahore Division, for the time being, is the Agent to the Lieutenant-Governor for the State of Chamba.]

There are no British Enactments, so far as is known, in force locally in the States of Mundi and Suket. In the Kapurthala and Chamba States the only British Enactments locally in force are the three following:—

British-Indian Enactments,(1) *namely,*—

Local Orders under an Act in force generally in all Native States in India.

Year.	No.	Subject of Act.	Section.	Subject of Notification.	Notification.
1879	XXI	Foreign Jurisdiction and Extradition.	4 & 6	Appointing the Superintendent of Kapurthala to be a Justice of the Peace and directing commitments of European British subjects to the Chief Court of the Panjab.	*No. 157-I.J., dated the 19th June, 1879.*—Whereas the Governor General in Council has jurisdiction over European British subjects in the territories of the Rájá of Kapurthala, it is hereby notified that, in exercise of the powers conferred by sections 4 and 6 of Act XI of 1872(2) (the Foreign Jurisdiction and Extradition Act, 1872), and of all other powers enabling him in this behalf, the Governor General in Council is pleased (*a*) to appoint the officer, for the time being holding the office of Superintendent of Kapurthala, being a European British subject, to be a Justice of the Peace within the territories of the said Rájá of Kapurthala; and (*b*) to direct that the Chief Court of the Panjab shall be the Court to which such officer shall commit European British subjects for trial. [See *Gazette of India, 1879*, Pt. I, p. 423.]

(1) As to the application of sections 4 to 16 (inclusive), 19, 20, 24 and 29 of the European Vagrancy Act, 1874, to Native States within the Panjab, *see* footnote on page 7, *supra*.

(2) *See* now Act XXI of 1879, sections 2, 4 and 6.

CHAPTER I.—(4)—THE TRANS-SUTLEJ STATES—*continued.*

British-Indian Enactments.

Local Orders under an Act in force generally in all Native States in India—*concluded.*

Year.	No.	Subject of Act.	Section.	Subject of Notification.	Notification.
1879	XXI	Foreign Jurisdiction and Extradition—*contd.*	4 & 6	Appointing the Superintendent of Chamba to be a Justice of the Peace, and directing commitments of European British subjects to the Chief Court of the Panjab.	*No. 155-I. J., dated the 19th June, 1879.*—Whereas the Governor General in Council has jurisdiction over European British subjects in the territories of the Rájá of Chamba, it is hereby notified that, in exercise of the powers conferred by sections 4 and 6 of Act XI of 1872(1) (the Foreign Jurisdiction and Extradition Act, 1872), and of all other powers enabling him in this behalf, the Governor General in Council is pleased (*a*) to appoint the officer, for the time being holding the office of Superintendent of Chamba,(2) being a European British subject, to be a Justice of the Peace within the territories of the said Rájá of Chamba; and (*b*) to direct that the Chief Court of the Panjab shall be the Court to which such officer shall commit European British subjects for trial. [See *Gazette of India*, 1879, Pt. I, p. 423.]

(1) *See* now Act XXI of 1879, sections 2, 4 and 6.
(2) It is believed that there is no such officer at present.

Supplementary Notes.

I.—Delegation of functions with respect to suits against Chiefs.—By Notification No. 1369-I., dated the 29th March, 1889, the Local Government of the Panjab and its Secretaries have been authorised, under section 433, sub-section (*4*), of the Code of Civil Procedure, to exercise, in respect of the Chiefs of these States, the functions assigned by sub-sections (*1*), (*2*) and (*3*) of that section to the Governor General in Council and a Secretary to the Government of India, respectively. (See *Gazette of India*, 1889, Part I, page 187.)

II.—Railway lands.—Jurisdiction over the lands in the Kapurthala State, occupied by the Sindh, Panjab and Delhi section of the North-Western Railway, has been acquired by the British Government. (*See* Chapter VI of this Part, *infra*, page 100.)

III.—Chamba Forests.—By an agreement entered into with the Rájá of Chamba in 1864, as to the lease of the Chamba Forests (*see* Aitchison's Treaties, Vol. VI, No. LXXXI), it was agreed (Article 10) that the Conservator should be authorised to exercise within the Chamba territory the powers of a Subordinate Magistrate of the 1st class, as described in Act XXV of 1861,[1] for the trial of offences against property, offences relating to property-marks, mischief, assaults, and contravention of such forest rules as might from time to time be in force in the territories under the Government of the Panjab, and (Article 11) that the Rájá should render every aid required by the Conservator in the exercise of the above powers for apprehending offenders or supposed offenders, and for enforcing the penalties awarded by him.

IV.—Kapurthala Jaghir in Baree Doab and Estates in Oudh.—The British Government exercises Civil and Police jurisdiction in the hereditary Jaghir of the Rájá of Kapurthala in the Baree Doab (*see* Aitchison's Treaties, Vol. VI, page 138). The Rájá has also certain estates in Oudh, in regard to which *see* Part V, Note V, *supra*, page 65.

[1] *i.e.*, the powers of a Magistrate of the 2nd class under Act X of 1882 (*see* section 3 of that Act.)

(5)—BHAWALPUR.

[For the relations of the British Government with this State, *see* Aitchison's Treaties, Vol. VI, pages 171—187. The State is under the immediate control of the Lieutenant-Governor of the Panjab.]

There are no British Enactments, so far as is known, in force locally in this State.

Notes.

I.—Delegation of functions with respect to suits against Chief.—By Notification No. 1369-I., dated the 29th March, 1889, the Local Government of the Panjab and any of its Secretaries have been authorised, under section 433, sub-section (*4*), of the Code of Civil Procedure, to exercise, in respect of the Nawab of Bhawalpur, the functions assigned by sub-sections (*1*), (*2*) and (*3*) of that section to the Governor General in Council and a Secretary to the Government of India, respectively. (See *Gazette of India*, 1889, Part I, page 187.)

II.—Railway lands.—The lands occupied by the Indus Valley Section of the North-Western Railway have been ceded to the British Government in full sovereignty (*see* the Proclamations in Appendix C to Chapter VI, *infra*, page 121)[; and full jurisdiction has been acquired by the British Government over the lands occupied by the head-works of the Bhawalwah-Lodran Canal. (*See* Chapter II, *infra*, page 78.)

CHAPTER I.—(6)—TRIBES OF THE NORTH-WESTERN FRONTIER.

(6)—THE TERRITORIES OF THE TRIBES OF THE NORTH-WESTERN FRONTIER.

[For the relations of the British Government with these tribes, *see* Aitchison's Treaties, Vol. VI, pages 189—244. The Deputy Commissioners of Hazara, Peshawar, Kohat, Bannu, Dera Ismail Khan, and Dera Ghazi Khan are Political Officers with respect to the tribes bordering on their respective districts.]

There are no British Enactments, so far as is known, in force locally in the territories of these tribes except in those referred to in Notes I and II on this page.

Notes.

I.—Khaibar Pass.—In regard to the jurisdiction exercised by the British Government in the Khaibar Pass, *see* Chapter IV, *infra*, page 86.

II.—Dera Ghazi Khan Frontier Tracts.—In regard to the jurisdiction exercised by the British Government in the Dera Ghazi Khan Frontier Tracts, *see* Chapter V, *infra*, page 90.

CHAPTER II.

THE HEAD-WORKS OF THE BHAWALWAH-LODRAN CANAL (BHAWALPUR).

The British Enactments in force locally in this tract consist of the following :—

British-Bhawalwah-Lodran Canal Enactments, namely,—

Local Laws made by the Governor General in Council—

(a) Act of the Governor General in Council locally applied.
(b) Special Local Laws.

CHAPTER II.—HEAD-WORKS, BHAWALWAH-LODRAN CANAL—*continued.*

British-Bhawalwah-Lodran Canal Enactments—

(a) Act of the Governor General in Council locally applied.

Year.	No.	Subject of Act.	Extent of application.	Modification.	Notification.
1890	I	Revenue Recovery.	The whole Act.	.....	*No. 1415-I., dated the 30th April, 1890* (printed *supra*, p. 34).

CHAPTER II.—HEAD-WORKS, BHAWALWAH-LODRAN CANAL—*continued.*

British-Bhawalwah-Lodran Canal Enactments.

(b) Special Local Laws.

When made.	Subject of Notification.	Notification.
1883	Declaring all laws in force in the Multan District to be in force in the land over which jurisdiction has been ceded, and providing for its administration.	*No. 2854-I., dated the 25th September, 1883.*—Whereas His Highness the Nawab of Bhawalpur has granted to the British Government full jurisdiction over a plot of land, 11 acres 3 roods and 15 poles in extent, situated in Bhawalpur territory on the border of the Multan District of the Panjab, and required for the head-works of the Bhawalwah-Lodran Canal: In exercise of such jurisdiction, and of the powers conferred by sections 4 and 5 of Act XXI of 1879 (the Foreign Jurisdiction and Extradition Act, 1879), the Governor General in Council is pleased to notify as follows:— 1. All laws for the time being in force in the Multan District of the Multan Division are hereby extended to the aforesaid portion of land. 2. The Deputy Commissioner of the Multan District and the Commissioner of the Multan Division, for the time being, and the Chief Court of the Panjab, respectively, shall exercise within the aforesaid portion of land the same executive powers as they may respectively exercise within the British territories subject to their jurisdiction. 3. All British Courts having jurisdiction within the Multan District shall exercise the same jurisdiction within the aforesaid portion of land. 4. Within the aforesaid portion of land the administration of the police shall be vested in the District Superintendent of Police in the Multan District, who shall exercise the same police powers as may be exercised by District Superintendents of Police under any law for the time being in force in the Multan District, in subordination to the Deputy Commissioner of the Multan District and the Inspector-General of Police in the Panjab. [See *Gazette of India*, 1883, Pt. I, p. 396.]
1890	Recovery of revenue-arrears accruing in British India.	*No. 1415-I., dated the 30th April, 1890* (printed *supra*, p. 34).

CHAPTER III.

KASUMPTI (KEONTHAL HILL STATE).

[This tract was leased and surrendered to the British Government in perpetuity by the Rájá of Keonthal in return for an annual quit-rent, by a lease dated the 24th October, 1884.]

The British Enactments in force locally in Kasumpti consist of—

British-Kasumpti Enactments, namely,—

Local Laws made by the Governor General in Council—

(a) Act of the Governor General in Council locally applied.
(b) Special Local Laws.

CHAPTER III.—KASUMPTI—*continued.*

British-Kasumpti Enactments.

(a) Act of the Governor General in Council locally applied.

Year.	No.	Subject of Act.	Extent of application.	Modification.	Notification.
1890	I	Revenue Recovery.	The whole Act.	.....	*No. 1415-I., dated the 30th April, 1890* (printed *supra*, p. 34.)

CHAPTER III.—KASUMPTI—*continued.*

British-Kasumpti Enactments.

(b) Special Local Laws.

When made.	Subject of Notification.	Notification.
1885	Declaring all laws in force in the Municipality of Simla to be in force in the tract over which jurisdiction has been ceded, arranging for the administration of the tract, and conferring power on the Lieutenant-Governor of the Panjab to apply thereto the Panjab Municipal Act, 1884, or any regulations, rules, bye-laws, or orders made thereunder.	*No. 1516-I., dated the 13th May, 1885* (printed *infra*, p. 84).
„	Amending the above Notification . . .	*No. 3494-I., dated the 15th October, 1885* (printed *infra*, p. 84).
„	Applying to the tract the Panjab Municipal Act, 1884, and all the rules, regulations, bye-laws, and orders made thereunder subject to certain modifications.	*No. 1335-S., dated the 16th September, 1885*[1] (printed *infra*, p. 84.)
1890	Recovery of revenue-arrears accruing in British India.	*No. 1415-I., dated the 30th April, 1890* (printed *supra*, p. 34).

[1] Strictly speaking, this Notification should have been classified under the head of "British-Indian Enactments applied," but it seems more convenient to enter it here.

APPENDIX.

Notifications relating to the administration of Civil and Criminal Justice and the Police and to Municipal Government.

No. 1516-I., dated the 15th May, 1885.—Whereas the Rájá of Keonthal has granted to the British Government full jurisdiction within a tract of land adjoining the Municipality of Simla, and more particularly described in the schedule hereto annexed:—

In exercise of such jurisdiction, and of the powers conferred by sections 4 and 5 of Act XXI of 1879 (the Foreign Jurisdiction and Extradition Act), and of all other powers enabling him in this behalf, the Governor General in Council is pleased to notify as follows:—

(1) Except as hereinafter provided, all laws, regulations, rules, bye-laws, and orders for the time being in force in the Municipality of Simla, in the Simla District of the Panjab, shall also be in force in the aforesaid tract of land.

(2) The Deputy Commissioner of the Simla District, the Commissioner of the Delhi Division, the Financial Commissioner of the Panjab, and the Lieutenant-Governor of the Panjab and its Dependencies for the time being, and the Chief Court of the Panjab, respectively, shall exercise within the aforesaid tract of land the same executive powers as they may respectively exercise within the British territories subject to their jurisdiction.

(3) All British Courts established within the Municipality of Simla shall, within the aforesaid tract of land, exercise the jurisdiction which they are, from time to time, respectively empowered to exercise within the limits of the said Municipality.

(4) Within the aforesaid tract of land the administration of police shall be vested in the District Superintendent of Police of the Simla District, who shall exercise the same police powers as may be exercised by him under any law, rule, regulation, bye-law or order for the time being in force in the Simla Municipality, in subordination to the Deputy Commissioner of the Simla District, the Deputy Inspector-General of Police of the Umballa Circle, the Inspector-General of Police in the Panjab, and the Lieutenant-Governor of the Panjab and its Dependencies.

(5) Unless and until the Lieutenant-Governor of the Panjab so directs, the Panjab Municipal Act (Act XIII of 1884) and the regulations, rules, bye-laws, or orders made under the said Act shall not extend to the aforesaid tract of land.

The Lieutenant-Governor of the Panjab may, by notification in the official Gazette, extend, with or without such modifications as he thinks fit, the whole or any part of the said Act, or of any regulations, rules, bye-laws, or orders made under the said Act to the aforesaid tract.

(6) All officers serving under the Lieutenant-Governor of the Panjab, who exercise any authority or jurisdiction within the limits of the said Municipality, shall, if required by the Deputy Commissioner of the Simla District or the Commissioner of the Delhi Division, also exercise such authority or jurisdiction within the aforesaid tract of land, in subordination to the same control that regulates the exercise of that authority or jurisdiction within the limits of the said Municipality.

SCHEDULE.

The tract of land comprising an area of 49 acres 1 pole 27 yards, and delineated on the plan annexed to the lease executed by the Rájá of Keonthal on the 24th October, 1884.

[See *Gazette of India*, 1885, Pt. I, p. 296.]

No. 3494-I., dated the 15th October, 1885.—The powers conferred on the Lieutenant-Governor of the Panjab by the Notification of the Government of India, Foreign Department, No. 1516-I., dated the 15th May, 1885, of extending with or without modifications the whole or any part of the Panjab Municipal Act, 1884, or any regulations, rules, bye-laws, or orders made under that Act, may be exercised from time to time as occasion requires.

(2) The Lieutenant-Governor may at any time revoke or vary a Notification issued in exercise of the said power.

[See *Gazette of India*, 1885, Pt. I, p 584.]

No. 1335-S., dated the 16th September, 1885.—In the exercise of the power delegated to him by the Governor General in Council in the fifth clause of the Notification of the Government of India, Foreign Department, No. 1516-I., dated the 15th May, 1885, the Honorable the Lieutenant-Governor is pleased to extend, to the tract of land to which that Notification relates, the Panjab Municipal

Notifications relating to the administration of Civil and Criminal Justice and the Police and to Municipal Government—concluded.

Act, 1884, subject to the modifications hereinafter mentioned, and the rules, regulations, bye-laws, and orders now in force in the Municipality of Simla, so far as those rules, regulations, bye-laws, and orders can be made applicable.

2. The modifications of the said Act are the following, namely:—

(1) Unless there is something repugnant in the subject or context,

(*a*) "Municipality" shall mean the said tract of land;

(*b*) "Local Government" shall mean the Government of the Panjab and its Dependencies;

(*c*) "Official Gazette" shall mean the Gazette of that Government; and

(*d*) "Commissioner" shall mean the Commissioner of the Delhi Division.

(2) A Municipal Committee shall not be established for the Municipality, but the Deputy Commissioner of Simla, for the time being, shall, within and for the Municipality, have all the powers of a Municipal Committee under the said Act, and all expressions in that Act referring to a Municipal Committee or to any member thereof shall, for the purpose of the said Act, be construed, so far as the nature of the case permits, as referring to the said Deputy Commissioner.

(3) The Municipality shall be deemed to be a place in which a tax on buildings and lands not exceeding ten per cent. on the annual value may be imposed under section 39 of the said Act.

(4) Notwithstanding anything in the said Act or in any rule, regulation, bye-law or order, octroi shall not be payable in the Municipality in respect of animals or goods on which octroi has been paid in the Municipality of Simla.

(5) Notwithstanding anything in section 68 of the said Act, the said Deputy Commissioner may pay annually out of the Municipal Fund to the Municipal Committee of Simla and Rájá of Keonthal such sums as the Local Government may direct.

(6) The Municipal Fund shall be kept in the Government treasury at Simla.

(7) The tax at the rate of ten rupees per two thousand five hundred square yards or fraction of two thousand five hundred square yards, referred to in section 177 of the said Act, may be imposed and assessed in the said tract of land, so far as may be by the procedure prescribed by the Act for the imposition and assessment of taxes on immoveable property; and the tax when so imposed and assessed shall be leviable in addition to any other tax leviable under the Act.

[See *Panjab Government Gazette*, 1885, Pt. IA, p. 82.]

CHAPTER IV.

THE KHAIBAR PASS.

The British Enactments in force locally in the Khaibar Pass consist of—

A.—British-Indian Enactment, namely,—

Local Order under an Act in force generally in all Native States in India.

B.—British-Khaibar Pass Enactments, namely,—

Special Local Laws made by the Governor General in Council.

CHAPTER IV.—THE KHAIBAR PASS—*continued.*

A.—British-Indian Enactment.

Local Order under an Act in force generally in all Native States in India.

Year.	No. of Act.	Subject of Act.	Section.	Subject of Notification.	Notification.
1879	XXI	Foreign Jurisdiction and Extradition.	4 & 6	'Appointing the officer in Political charge of the Pass, and the Officer Commanding the Forces within the Pass, to be Justices of the Peace, and directing commitments of European British subjects to the Chief Court of the Panjab.	*No. 2134-E.P., dated the 2nd July, 1880.*—Whereas the Governor General of India in Council has power and jurisdiction within the tract of land noted in the margin: Khaibar Pass, and over the lands immediately adjoining the Pass on either side of the roadway. In exercise of such power and jurisdiction,(1) and of the powers conferred by sections 4 and 6 of Act XXI of 1879 (the Foreign Jurisdiction and Extradition Act, 1879), and of all other powers enabling him in this behalf, the Governor General in Council is pleased (*a*) to appoint the Political Officer, for the time being in charge of the aforesaid tract, and the officer for the time being in command of Her Majesty's Forces within the aforesaid tract respectively, being European British subjects, to be Justices of the Peace within the aforesaid tract; and (*b*) to direct that the Chief Court of the Panjab shall be the Court to which such officers shall commit European British subjects for trial. [See *Gazette of India*, 1880, Pt. 1, p. 344.]

(1) Notwithstanding this reference to other powers, this Notification is classified as a "British-Indian Enactment," as it applies only to British subjects.

B.—British-Khaibar Pass Enactments.

Special Local Laws.

When made.	Subject of Notification.	Notification.
1880	Conferring powers on certain officials under the Code of Criminal Procedure, and modifying the Code in its application to the Pass.	*No. 2135-E.P., dated the 2nd July, 1880.*—Whereas the Governor General of India in Council has power and jurisdiction within the tract of land noted in the margin: In exercise of such power and jurisdiction, and of the powers conferred by sections 4 and 5 of Act XXI of 1879 (the Foreign Jurisdiction and Extradition Act, 1879), and of all other powers enabling him in this behalf, the Governor General in Council is pleased to issue the following Notification:— Khaibar Pass, and over the lands immediately adjoining the Pass on either side of the roadway. 1. The Political Officer for the time being in charge of the aforesaid tract shall exercise the powers described in section 36 of Act X of 1872[1] (the Code of Criminal Procedure), and the powers of a Magistrate of the District as described in the same Act within the aforesaid tract. 2. The Assistant Political Officer for the time being within the aforesaid tract shall exercise the powers of a Magistrate of the first class as described in Act X of 1872[1] within such tract. 3. The Officer Commanding for the time being the corps of Jezailchis within the aforesaid tract shall exercise the powers of a Magistrate of the second class as described in Act X of 1872[1] 4. The Commissioner and Superintendent for the time being of the Peshawar Division shall exercise the powers of a Court of Session as described in Act X of 1882) within such tract:[2] Provided that, for the purposes of the exercise of the jurisdiction hereinbefore conferred, the said Act X of 1872 [1] shall be read subject to the following modifications:— (*a*) The Court of Sessions may take cognizance of any offence, as a Court of original criminal jurisdiction, without the accused person being committed to it by a Magistrate. (*b*) No appeal shall lie from any order of the Sessions Judge. (*c*) The functions of the High Court as a Court of reference and revision shall be discharged by the Governor General in Council. (*d*) All other functions of the High Court shall be discharged by the Court of Session. (*e*) Trials before the Court of Sessions may, in the discretion of the Sessions Judge, be conducted without the aid either of a jury or assessors. (*f*) Whenever the Sessions Judge deems it essential for the maintenance of tranquillity that a sentence of death legally passed by him should be executed forthwith, he may order such sentence to be executed without the confirmation of the Court of reference: Provided also that in any case in which the complainant (if any) and all the accused persons are not British subjects, it shall be in the discretion of the said Political Officer, the said Assistant Political Officer, and the said Commissioner and Superintendent of the Peshawar Division,[3] respectively, to decline to exercise the powers hereby conferred on them. [See *Gazette of India*, 1880, Pt. I, p. 344.]

(1) Repealed in British India by Act X of 1882.
(2) As amended by Notifications Nos. 1085 and 1149-F. on page 89, *infra*.
(3) As amended by Notification No. 1085-F. on page 89, *infra*.

CHAPTER IV.—THE KHAIBAR PASS—*concluded.*

B.—British-Khaibar Pass Enactments.

Special Local Laws—*concluded.*

When made.	Subject of Notification.	Notification.
1886	Amending the preceding Notification	*No. 1085-F., dated the 15th June, 1886.*—In modification of the Notification by the Government of India in the Foreign Department, No. 2135-E. P., dated the 2nd July, 1880, the Governor General in Council is pleased to direct that the 1st sentence of the 4th clause of the 1st paragraph of the said Notification should be read as follows :— "The Commissioner and Superintendent, for the time being, of the Peshawar Division shall exercise the powers of a Court of Session as described in Act X of 1882(1) within such tract ;" and in the last paragraph of the said Notification, in place of the words "the said Officer Commanding Her Majesty's Forces," shall be read "the said Commissioner and Superintendent of the Peshawar Division." [See *Gazette of India*, 1886, Pt. I, p. 382.]
	Correcting a clerical error in the preceding Notification.	*No. 1149-F., dated the 29th June, 1886.*—In Notification by the Government of India in the Foreign Department, No. 1085-F., dated the 15th June, 1886, *for* "1872" *read* "1882." [See *Gazette of India*, 1886, Pt. I, p. 402.]

(1) As amended by Notification No. 1149 F. on this page.

CHAPTER V.

DERA GHAZI KHAN FRONTIER TRACTS.

The British Enactments in force locally in these Tracts consist of—

A.—British-Indian Enactment, namely,—

Local Order under an Act in force generally in all Native States in India.

B.—British-Dera Ghazi Khan Frontier Tracts Enactment, namely,—

Special Local Law made by the Governor General in Council.

CHAPTER V.—DERA GHAZI KHAN FRONTIER TRACTS—*continued.*

A.—British-Indian Enactment.

Local Order under an Act in force generally in all Native States in India.

Year.	No.	Subject of Act.	Section.	Subject of Notification.	Notification.
1879	XXI	Foreign Jurisdiction and Extradition.	4 & 6	Appointing the Deputy Commissioner of the Dera Ghazi Khan District to be a Justice of the Peace for the tracts on the frontier of that district, and directing that the Chief Court of the Panjab shall be the Court to which he shall, as such Justice, commit for trial.	*No. 1770-F., dated the 15th November, 1889.*—In exercise of the powers conferred by sections 4 and 6 of the Foreign Jurisdiction and Extradition Act, XXI of 1879, the Governor General in Council is pleased to appoint the Deputy Commissioner, for the time being, of the Dera Ghazi Khan District, being an European British subject, to be a Justice of the Peace for the tracts noted in the margin, and to direct that the Chief Court of the Panjab shall be the Court to which the said Deputy Commissioner shall, as such Justice of the Peace, commit for trial. 1. The tract situated between the countries of the Khetran, Marri, and Bugti tribes and the plains of the Dera Ghazi Khan District. 2. The tract bounded by the country of the Bozdars on the north and west, by the country of the Hill Lagharis on the south, and by the Dera Ghazi Khan District on the east. [See *Gazette of India*, 1889, Pt. I, p. 627.]

CHAPTER V.—DERA GHAZI KHAN FRONTIER TRACTS—*continued.*

B.—British-Dera Ghazi Khan Frontier Tracts Enactment.

Special Local Law.

When made.	Subject of Notification.	Notification.	Reference.
1889	Applying certain enactments and arranging for the administration of Criminal Justice.	No. 1771-F., dated the 15th November, 1889.	(Printed *infra*, page 93.)

APPENDIX.

Notification applying enactments and arranging for administration of Criminal Justice.

1. The tract situated between the countries of the Khetran, Marri, and Bugti tribes and the plains of the Dera Ghazi Khan District.
2. The tract bounded by the country of the Bozdars on the north and west, by the country of the Hill Lagharis on the south, and by Dera Ghazi Khan District on the east.

No. 1771-F., dated the 15th November, 1889.—Whereas the Governor General in Council has power and jurisdiction within the tracts noted in the margin: In exercise of such power and jurisdiction, and of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, XXI of 1879, and of all other powers enabling him in this behalf, the Governor General in Council is pleased to make the following orders:—

PART I.

1. (*1*) The provisions, so far as they can be made applicable in the circumstances for the time being, and as amended for the time being by subsequent enactments, of the enactments specified in the First Schedule to this Part, are hereby applied to the aforesaid tracts, subject, in the case of the Code of Criminal Procedure and the Panjab Frontier Crimes Regulation, to the modifications specified in the Second Schedule to this Part.

(*2*) For the purpose of facilitating the application of the said enactments to the said tracts any Magistrate or Court for those tracts may construe any provision in any such enactment with such alterations not affecting the substance as may be necessary or proper to adapt it to the matter before the Magistrate or Court.

THE FIRST SCHEDULE.

ENACTMENTS APPLIED.

Number and year.	Subject.
Act XLV of 1860.	Penal Code.
Act XXIII of 1867.	Panjab Murderous Outrages.
Act IX of 1877.	Reviving and amending Act XXIII of 1867.
Act X of 1882.	Criminal Procedure.
Regulation IV of 1887.	Panjab Frontier Crimes.

THE SECOND SCHEDULE.

MODIFICATIONS IN THE CODE OF CRIMINAL PROCEDURE AND THE PANJAB FRONTIER CRIMES REGULATION.

(*1*) *In the Code of Criminal Procedure*—

(*a*) The Court of Session may take cognizance of any offence as a Court of original jurisdiction without the accused person being committed to it by a Magistrate, and shall, when so taking cognizance of any offence, follow the procedure prescribed by the Code of Criminal Procedure for the trial of warrant cases by Magistrates.

(*b*) No appeal shall lie from any order of the Sessions Judge.

(*c*) Trials before the Court of Session may, in the discretion of the Sessions Judge, be without jury or the aid of assessors.

(*2*) *In the Panjab Frontier Crimes Regulation, 1887*—

(*a*) For section 1, sub-sections (*2*), (*3*), (*4*), (*5*) and (*6*), the following shall be substituted, namely:—

"(2) This Regulation shall not be enforced against (1) European British subjects, or (2) persons of any such class as the Local Government may, by notification in the official Gazette, declare to be exempt therefrom, or (3) any person in the civil or military service of the Government unless such person is accused of having committed an offence conjointly with a person to whom this Regulation applies."

Notification applying enactments and arranging for administration of Criminal Justice—concluded.

"(3) The word 'class' as used in sub-section (*2*) includes any persons who may be collectively described in a notification under this section as persons exempt from the provisions of this Regulation."

(*b*) Section 2 and section 7, sub-section (*2*), shall be omitted.

(*c*) For clause (*2*) of section 3 the following shall be substituted :—

"(2) 'Commissioner' means the Commissioner of the Derajat Division ; and

"(3) 'Deputy Commissioner' means the Deputy Commissioner of the Dera Ghazi Khan District."

(*d*) For sub-section 1 of section 10 the following shall be substituted :—

" When the Deputy Commissioner thinks it expedient that any dispute should be settled in the manner provided by this section, he may make an order in writing stating the grounds of his opinion and referring the dispute to a Council of Elders."

PART II.

For the purposes of the exercise of Criminal Jurisdiction as regards the aforesaid tracts—

(1) (*a*) The Deputy Commissioner for the time being of the Dera Ghazi Khan District, as regards those tracts, shall exercise the powers of a District Magistrate as described in the Code of Criminal Procedure, and may try any offence or pass any sentence which a District Magistrate specially empowered under section 30 of that Code may try or pass ; and

(*b*) Every Magistrate having for the time being any jurisdiction within the Dera Ghazi Khan District shall exercise the like jurisdiction as regards those tracts :

Provided that, if in any case in which the complainant (if any) and the accused person or all the accused persons are not British subjects, the Deputy Commissioner or any such Magistrate deems it expedient for political reasons to decline to exercise the powers so conferred on him, it shall be in his discretion to do so, subject to any direction which may be issued by the Commissioner of the Derajat Division or by the Lieutenant-Governor of the Panjab and its Dependencies.

(2) The Commissioner for the time being of the Derajat Division shall be the Sessions Judge and his Court the Court of Session, as regards the said tracts.

(3) The functions of the High Court as a Court of Reference and Revision shall be discharged by the Lieutenant-Governor of the Panjab and its Dependencies.

(4) All other functions of the High Court shall be discharged by the Court of Session.

(5) This Part of this Notification applies to all proceedings except proceedings against European British subjects or persons jointly charged with European British subjects.

[See *Gazette of India*, 1889, Pt. I, p. 627.]

CHAPTER VI.—RAILWAYS UNDER BRITISH JURISDICTION.

CHAPTER VI.

RAILWAYS UNDER BRITISH JURISDICTION.[1]

The following is a list of the Railways passing through Native States under the political control of the Lieutenant-Governor of the Panjab, and of the Native States through which they pass :—

Railways.	States.
(1)—Delhi-Umballa-Kalka Railway	Kalsia. Patiala.
(2)—North-Western Railway[2]	Patiala. Nabha. Kapurthala.
(3)—Rajputana-Malwa Railway[3]—	
(*1*) Rajputana State Railway[4]	Nabha. Pataudi.
(*2*) Rewari-Ferozpur Railway	Dujana. Faridkot. Jhind. Patiala. Nabha.

[1] No jurisdiction, so far as is known, has yet been ceded to the British Government over the Rajpura-Bhatinda Railway, which passes through the States of Nabha and Patiala.

[2] The lands occupied by the North-Western Railway in Bhawalpur have been ceded to the British Government in full sovereignty—*see* Proclamation printed *infra*, p. 121. For laws in force in those lands, *see* Act XIII of 1883. The rest of the North-Western Railway passes through British territory and the Baluchistan Agency territories.

[3] Information as to the other Railways comprised in the Rajputana-Malwa Railway system will be noted in the Rajputana, Central India, and Bombay Volumes of these lists, respectively.

[4] For the other sections f the Rajputana State Railway, *see* the Rajputana Volume of these lists.

CHAPTER VI.

RAILWAYS UNDER BRITISH JURISDICTION—*continued.*

(1).—DELHI-UMBALLA-KALKA RAILWAY.

(Kalsia and Patiala Sections.)

The British Enactments in force locally in these sections of this Railway consist of—

British-Delhi-Umballa-Kalka Railway Enactments, namely,—

1.—Local Laws made by the Governor General in Council—

(a) Acts of the Governor General in Council locally applied.
(b) Special Local Laws.

2.—Local Orders—

under an Act of the Governor General in Council locally applied.

CHAPTER VI.—(1)—DELHI-UMBALLA-KALKA RAILWAY—*continued.*

British-Delhi-Umballa-Kalka Railway Enactments.

1-(a) Acts of the Governor General in Council locally applied.

Year.	No.	Subject.	Extent of application.	Modification.	Notification.
1890	I	Revenue Recovery .	The whole Act .	.....	*No. 1415-I., dated the 30th April, 1890* (printed *supra*, p. 34).
„	IX	Railways . .	Ditto, so far as suitable.	As amended for the time being by subsequent enactments.	*No. 1328-I., dated the 23rd March, 1891* (printed *infra*, p. 112).

British-Delhi-Umballa-Kalka Railway Enactments.

1—(b) Special Local Laws.

When made.	Subject of Notification.	Notification.	Reference.
1890	Recovery of revenue-arrears accruing in British India.	No. 1415-I., dated the 30th April, 1890.	[Printed *supra*, p. 34.]
„	Declaring in force all laws in force in the Umballa District, and providing for executive, judicial and police administration.	No. 4167-I., dated the 9th December, 1890.	[Printed *infra*, p. 119.]
1891	Applying the general Rules for working open lines of Railway.	No. 1328-I., dated the 23rd March, 1891.	[Printed *infra*, p. 112.]
„	Applying the general Rules for working railways under construction.	Ditto.	Ditto.
„	Declaring the Government of the Panjab to be the Local Government for the purposes of the Railways Act.	Ditto.	Ditto.

CHAPTER VI.—(1)—DELHI-UMBALLA-KALKA RAILWAY—*concluded.*

British-Delhi-Umballa-Kalka Railway Enactments.

2–Local Orders under an Act of the Governor General in Council locally applied.

Year.	No.	Subject of Act.	Section.	Subject of Notification.	Notification.
1890	IX	Railways . .	16	Sanctioning the use of motive power and rolling-stock.	*No. 1328-I., dated the 23rd March, 1891* (printed *infra*, p. 112).
„	„	Ditto . .	144	Delegating certain powers and functions to the Government of the Panjab.	Ditto.

CHAPTER VI.

RAILWAYS UNDER BRITISH JURISDICTION—*continued.*

(2).—THE NORTH-WESTERN RAILWAY.

(Patiala, Nabha, and Kapurthala Sections.)

The British Enactments in force locally in these sections of this Railway consist of—

British-North-Western Railway (Panjab States) Enactments.

1.—Local Laws made by the Governor General in Council—

(a) Acts of the Governor General in Council locally applied.

(b) Special Local Laws.

2.—Local Orders—

under an Act of the Governor General in Council locally applied.

CHAPTER VI.—(2)—NORTH-WESTERN RAILWAY—*continued.*

British-North-Western Railway Enactments.

1.-(a) Acts of the Governor General in Council locally applied.

Year.	No. of Act.	Subject.	Extent of application.	Modification	Notification.
1890	I	Revenue Recovery .	The whole Act.	.....	*No. 1415-I., dated the 30th April, 1890* (printed *supra*, p. 34).
„	IX	Railways . .	Ditto, so far as suitable.	As amended for the time being by subsequent enactments.	*No. 1328-I, dated the 23rd March, 1891* (printed *infra*, p. 112).

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CHAPTER VI.—(2)—NORTH-WESTERN RAILWAY—*continued.*

British-North-Western Railway Enactments.

1.-(b) Special Local Laws.

When made.	Subject of Notification.	Notification.	Reference.
1886	Declaring laws in force in certain adjoining British-Indian districts to be in force in these sections of this railway, and providing for the executive, judicial and police administration thereof.	No. 1503-I., dated the 7th May, 1886.	[Printed *infra*, p. 120.]
1890	Recovery of revenue-arrears accruing in British India.	No. 1415-I., dated the 30th April, 1890.	[Printed *supra*, p. 34.]
1891	Applying the general Rules for working open lines of railway.	No. 1328-I., dated the 23rd March, 1891.	[Printed *infra*, p. 112.]
„	Applying the general Rules for working railways under construction.	Ditto.	Ditto.
„	Declaring the Government of the Panjab to be the Local Government for the purposes of the Railways Act.	Ditto.	Ditto.

CHAPTER VI.—(2)—NORTH-WESTERN RAILWAY—*concluded.*

British-North-Western Railway Enactments.

2.–Local Orders under an Act of the Governor General in Council locally applied.

Year.	No.	Subject of Act.	Section.	Subject of Notification.	Notification.
1890	IX	Railways . .	16	Sanctioning the use of motive power and rolling-stock.	*No. 1328-I., dated the 23rd March, 1891* [printed *infra*, p. 112].
„	„	Ditto . .	144	Delegating certain powers and functions to the Government of the Panjab.	Ditto.

CHAPTER VI.

RAILWAYS UNDER BRITISH JURISDICTION—*continued.*

(3)—THE RAJPUTANA-MALWA RAILWAY.

[(1) Rajputana State Railway : Nabha and Pataudi Sections.]

The British Enactments in force locally in these sections of the Rajputana State Railway consist of—

British-Rajputana State Railway (Panjab States) Enactments, namely,—

1.—Local Laws made by the Governor General in Council—

(a) Acts of the Governor General in Council locally applied.
(b) Special Local Laws.

2.—Local Rules and Orders—

under Acts of the Governor General in Council locally applied.

CHAPTER VI.—(3)—RAJPUTANA-MALWA (RAJPUTANA STATE) RAILWAY—*continued.*

British-Rajputana State Railway (Panjab States) Enactments.

1.-(a) Acts of the Governor General in Council locally applied.

Year.	No.	Subject of Act.	Extent of application.	Modification.	Notification.
1888	III	Police . . .	The whole Act.	.....	*No. 4308-I., dated the 18th December, 1890* (printed *infra*, p. 122).
1890	I	Revenue Recovery .	Ditto .	.....	*No. 1415-I., dated the 30th April, 1890* (printed *supra*, p. 34).
,,	IX	Railways . .	Ditto, so far as suitable.	As amended for the time being by subsequent enactments.	*No. 1328-I., dated the 23rd March, 1891* (printed *infra*, p. 112).

CHAPTER VI.—(3)—RAJPUTANA-MALWA (RAJPUTANA STATE) RAILWAY—*continued.*

British-Rajputana State Railway (Panjab States) Enactments.

1.—(b) Special Local Laws.

When made.	Subject of Notification.	Notification.	Reference.
1879	Imposing duty on imported salt . . .	No. 199-J., dated the 13th November, 1878.	[Printed *infra*, p. 123.]
1884	Declaring all laws in force in the Gurgaon district to be in force in these sections of this railway, and providing for the executive, judicial and police administration thereof.	No. 1007-I., dated the 18th March, 1884.	[Printed *infra*, p. 123.]
1890	Recovery of revenue-arrears accruing in British India.	No. 1415-I., dated the 30th April, 1890.	[Printed *supra*, p. 34.]
1891	Applying the general Rules for working open lines of railway.	No. 1328-I., dated the 23rd March, 1891.	[Printed *infra*, p. 112.]
„	Applying the general Rules for working railways under construction.	Ditto.	Ditto.
„	Declaring the Government of the Panjab to be the Local Government for the purposes of the Railways Act.	Ditto.	Ditto.

CHAPTER VI.—(3)—RAJPUTANA-MALWA (RAJPUTANA STATE) RAILWAY—*concluded.*

British-Rajputana State Railway (Panjab States) Enactments.

2.—Local Rules and Orders under Acts of the Governor General in Council locally applied.

Year.	No. of Act.	Subject of Act.	Section.	Subject of Notification.	Notification.
1861	V	Police(1) . .	4	*See* the 2nd entry against Act III of 1888, *infra*.	*See* the 2nd entry against Act III of 1888, *infra*.
1875	VIII(2)	Inland Customs .	53	Investing certain Railway officials with all the powers of stoppage and seizure conferred by Customs officers under the Act.	*No. 22-J., dated the 14th February, 1889* (printed *infra*, p. 124).
1888	III	Police . . .	2 (*1*) & (*2*)	Forming all the lands occupied by certain lines (including the Rajputana State Railway and the Rewari-Ferozpur Railway) into a general Police District, directing the enrolment of a special Police force therefor, and appointing the Governor of Bombay to discharge the functions of the Local Government for police purposes therein.	*No. 4, dated the 6th January, 1891* (printed *infra*, p. 122).
„	„	Ditto . .	2(*2*)	Appointing the Inspector-General of Police, Bombay, to be Inspector-General, and empowering all existing Subordinate Police-officers to continue the exercise of their functions under the said Inspector-General.	*No. 1454, dated the 10th March, 1891* (printed *infra*, p. 122).
1890	IX	Railways . .	16	Sanctioning the use of motive power and rolling-stock.	*No. 1328-I., dated the 23rd, March, 1891* (printed *infra*, p. 112).
„	„	Ditto . .	144	Delegating certain powers and functions to the Government of the Panjab.	Ditto.

(1) This Act is in force by virtue of Notification No. 1007-I., dated the 18th March, 1884, printed *infra*, p. 123.
(2) See now Act XII of 1882, which is in force in this section of this Railway in virtue of Notification No. 1007-I., dated the 18th March, 1884, printed *infra*, page 123.

CHAPTER VI.

RAILWAYS UNDER BRITISH JURISDICTION—*continued.*

(3).—THE RAJPUTANA-MALWA RAILWAY—*continued.*

[(2) Rewari-Ferozpur Railway; Dujana, Faridkot, Jhind, Patiala and Nabha Sections.]

The British Enactments in force locally in these sections of this Railway consist of—

British-Rewari-Ferozpur Railway (Panjab States) Enactments.

1.—Local Laws made by the Governor General in Council—

(a) Acts of the Governor General in Council locally applied.

(b) Special Local Laws.

2.—Local Rules and Orders—

under Acts of the Governor General in Council locally applied.

CHAPTER VI.—(3)—RAJPUTANA-MALWA (REWARI-FEROZPUR) RAILWAY—*continued.*

British-Rewari-Ferozpur Railway Enactments.

1-(a) Acts of the Governor General in Council locally applied.

Year.	No.	Subject of Act.	Extent of application.	Modification.	Notification and reference.
1888	III	Police . . .	The whole Act.	.....	*No. 4308-I., dated the 18th December, 1890* (printed *infra*, p. 122).
1890	I	Revenue Recovery .	Ditto .	.....	*No. 1415-I., dated the 30th April, 1890* (printed *supra*, p. 34).
	IX	Railways . .	Ditto, so far as suitable.	As amended for the time being by subsequent enactments.	*No. 1328-I., dated the 23rd March, 1891* (printed *infra*, p. 112).

British-Rewari-Ferozpur Railway Enactments.

1.—(b) Special Local Laws.

When made.	Subject of Notification.	Notification.	Reference.
1885	Declaring all laws in force in the Ferozpur District to be in force in the Nabha and Faridkot sections of this railway, and providing for the executive, judicial and police administration thereof.	No. 2925-I., dated the 28th August, 1885.	[Printed *infra*, p. 125.]
1886	Declaring all laws in force in the Hissar District to be in force in the Patiala, Jhind and Dujana sections of this railway, and providing for the executive, judicial and police administration thereof.	No. 3927-I., dated the 5th November, 1886.	[Printed *infra*, p. 125.]
1890	Recovery of revenue-arrears accruing in British India.	No. 1415-I., dated the 30th April, 1890.	[Printed *supra*, p. 34.]
1891	Applying the general Rules for working open lines of railway.	No. 1328-*I.*, dated the 23rd March, 1891.	[Printed *infra*, p. 112.]
„	Applying the general Rules for working railways under construction.	Ditto.	Ditto.
„	Declaring the Government of the Panjab to be the Local Government for the purposes of the Railways Act.	Ditto.	Ditto.

CHAPTER VI.—(3)—RAJPUTANA-MALWA (REWARI-FEROZPUR) RAILWAY—*concluded.*

British-Rewari-Ferozpur Railway Enactments.

2.—Local Rules and Orders under Acts of the Governor General in Council locally applied.

Year.	No.	Subject of Act.	Section.	Subject of Notification.	Notification.
1861	V	Police (1) . .	4	*See* the 2nd entry against Act III of 1888, *infra*.	*See* the 2nd entry against Act III of 1888, *infra*.
1888	III	Police . . .	2 (*1*) & (*2*)	Forming all the lands occupied by certain lines (including the Rajputana State Railway and the Rewari-Ferozpur Railway) into a General Police District, directing the enrolment of a special police force therefor, and appointing the Governor of Bombay to discharge the functions of the Local Government for police purposes therein.	*No. 4, dated the 6th January, 1890* (printed *infra*, p. 122).
,,	,,	Ditto	2 (*2*)	Appointing the Inspector-General of Police, Bombay, to be Inspector-General, and empowering all existing Subordinate Police-officers to continue the exercise of their functions under the said Inspector-General.	*No. 1454, dated 10th March, 1891* (printed *infra*, p. 122).
1890	IX	Railways . .	16	Sanctioning the use of motive power and rolling-stock.	*No. 1328-I., dated the 23rd March, 1891* (printed *infra*, p. 112).
,,	,,	Ditto . .	144	Delegating certain powers and functions to the Government of the Panjab.	Ditto.

(1) This Act is in force by virtue of Notifications Nos. 2925-I. and 3927-I., dated, respectively, the 28th August, 1885, and 5th November, 1886, printed *infra*, p. 125.

APPENDIX A.

Notification applying the Railways Act, IX of 1890, and issuing orders thereunder, and in connection therewith.

(1) No. 1328-I., dated the 23rd March, 1891.—*Whereas the Governor General in Council has and exercises full jurisdiction within those portions of the land forming the Bangalore Branch of the Madras Railway (including the land occupied by stations and out-buildings and for other purposes connected with the Railway) which lie within the territories of His Highness the Mahárájá of Mysore;*

And whereas the Chiefs of Morvi, Wankaner, Wadhwan, Lakhtar, Sayla, Muli, Dhrol and Rajkot, and the Talukdars of Gavridad and Kotharia, in Kathiawar, have ceded to the British Government the civil and criminal jurisdiction exercised by them within the lands which lie within their respective territories and are occupied by the Morvi State Railway (including the lands occupied by stations and out-buildings and for all other Railway purposes, and the lands occupied by culverts or bridges over which the Railway passes); and whereas the Governor General in Council now possesses full jurisdiction within those lands;

And whereas the Rulers or Administrators of the other States mentioned in the second column of the schedule hereto annexed have ceded to the British Government full jurisdiction, or all the jurisdiction they possessed, within the lands which lie within their respective territories, or which lie within the parts of their respective territories mentioned or referred to in the third column of the said schedule, and are occupied, or may be hereafter occupied, by the Railways mentioned opposite their names, respectively, in the first column of the said schedule (including the lands occupied by stations and out-buildings and for other Railway purposes); and whereas the Governor-General in Council now possesses full jurisdiction within those lands:

In exercise of the jurisdiction referred to, and of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, XXI of 1879, and of all other powers enabling him in this behalf, the Governor General in Council is pleased to issue the following orders:—

I.—The provisions, so far as they may be suitable, and as amended for the time being by subsequent enactments, of the Indian Railways Act, IX of 1890, shall apply to all the aforesaid lands.

II.—In exercise of the power conferred by section 16 of the said Indian Railways Act, the Governor General in Council is pleased to sanction the use of locomotive engines or other motive power, and rolling-stock to be drawn or propelled thereby, on all Railways occupying any of the aforesaid lands and for the time being used for the public carriage of passengers, animals or goods.

III.—The general rules for working open lines of Railway which were published under the Notification of the Government of India in the Public Works Department, No. 299, dated the 13th September 1880, in the *Gazette of India* for 1880, Part I, page 450, shall, subject to the modifications shown in the second column of the schedule annexed to Public Works Department Resolution No. 467 R. T., dated the 15th August, 1890, published in the *Gazette of India* for 1890, Part I, page 647, apply to all Railways occupying any of the aforesaid lands, and for the time being used for the public carriage of passengers, animals or goods.

IV.—The general rules for working Railways under construction and not used for the public carriage of passengers, animals or goods, which were published under the Notification of the Government of India in the Public Works Department, No. 480½, dated the 30th October, 1890, in the *Gazette of India* for 1890, Part I, page 795, shall apply to such portions of the Railways occupying any of the aforesaid lands as may for the time being be under construction.

V.—In exercise of the power conferred by section 144 of the said Indian Railways Act, the Governor General in Council is pleased to delegate to Local Governments, to the extent and subject to the conditions hereinafter specified, the following powers and functions which are now vested in him under the said Act; the powers and functions hereby delegated being liable to be revoked or varied, and the exercise and discharge thereof to be controlled, as the Governor General in Council may from time to time think fit:—

(1) *Sections 7, 9, and 11.*—All the powers and functions of the Governor General in Council, subject to the proviso that the exercise and discharge of such powers and functions will not entail any expenditure in excess of the general powers of sanction of the Local Government concerned.

(1) The portions of this Notification printed in italics relate to Railways or sections of Railways not dealt with in this volume.

Notification applying the Railways Act, IX of 1890, and issuing orders thereunder and in connection therewith—continued.

(2) *Section 48.*—All the powers and functions of the Governor General in Council, only in cases where the Railways concerned are under the control of one and the same Local Government.

(3) *Section 51, clauses (a), (b), (c), (d), and (e), and section 55.*—All the powers and functions of the Governor General in Council.

(4) *Section 63.*—The power of determining the vernacular languages in which the maximum number of passengers to be carried in each compartment shall be exhibited.

(5) *Section 83.*—The power of notifying the Magistrates and Police-officers to whom notices of Railway accidents are to be given.

VI.—The Governments and authorities mentioned in the fourth column of the schedule hereto annexed shall be deemed, for the purposes of the said Indian Railways Act and of clause V of this Notification, to be the Local Governments in respect to such parts of the Railways mentioned opposite their names, respectively, in the first column of the said schedule, as are situate within the territories of the States mentioned opposite their names, respectively, in the second column of the said schedule.

VII.—The following Notifications of the Government of India in the Foreign Department are hereby cancelled :—

No. 4587-I., dated the 21st October, 1887.

No. 1145-I., dated the 22nd March, 1888.

No. 2065-I., dated the 22nd May, 1889, in so far as it refers to Notification No. 1145-I., dated the 22nd March, 1888.

VIII.—The following Notifications of the Government of India in the Public Works Department, sanctioning the use of Locomotive engines or other motive power, and carriages and wagons to be drawn or propelled thereby, are hereby cancelled, in so far as they relate to the portions of the Railways mentioned in the first column of the schedule hereto annexed which are situated in the States mentioned opposite them, respectively, in the second column of that schedule :—

No. 265, dated the 18th June, 1879.
„ 10, dated the 10th January, 1883.
„ 212, dated the 3rd September, 1884.
„ 283, dated the 13th October, 1885.
„ 331, dated the 12th December, 1885.
„ 72, dated the 17th March, 1886.
„ 101, dated the 23rd March, 1888.
„ 203, dated the 4th July, 1888.
„ 208, dated the 6th July, 1888.
„ 261, dated the 7th September, 1888.
„ 42, dated the 28th January, 1890.

IX.—The following Resolutions of the Government of India in the Public Works Department are hereby cancelled, in so far as they relate to the portions of the Railways mentioned in the first column of the schedule hereto annexed which are situated in the States mentioned opposite them, respectively, in the second column of that schedule :—

No. 88 R. T., dated the 21st January, 1886.
„ 504 R. T., dated the 21st May, 1886.
„ 724 R. T., dated the 17th July, 1886.
„ 789 R. T., dated the 2nd July, 1887.
„ 1009 R. T., dated the 25th September, 1888.
„ 018 R. T., dated the 28th November, 1888.
„ 69 R. T., dated the 26th April, 1889.
„ 240 R. T., dated the 14th June, 1889.
„ 353 R. T., dated the 23rd July, 1889.
„ 512 R. T., dated the 23rd September, 1889.
„ 703 R. T., dated the 6th October, 1890.
„ 2 R. T., dated the 3rd January, 1891.

Notification applying the Railways Act, IX of 1890, and issuing orders thereunder and in connection therewith—continued.

SCHEDULE.

1	2	3	4
Railway.	State.	Specified parts of the State within which jurisdiction has been ceded over Railway lands.	Government or Authority deemed to be the "Local Government."
Bengal-Nagpur Railway	*Khairagarh* . .	.....	*The Chief Commissioner of the Central Provinces.*
Ditto .	*Nandgaon* . . .	.....	*Ditto.*
Ditto .	*Rewah*	.....	*Ditto.*
Ditto .	Gangpur . . .	The eastern parts of the State.	The Government of Bengal.
Ditto .	Khursowan . . .	.....	Ditto.
Ditto .	Seraikilla . . .	.....	Ditto.
Bhavnagar-Gondal-Junagad-Porbandar Railway (Dhoraji-Porbandar Section).	*Gondal* . . .	.....	*The Government of Bombay.*
Ditto .	*Navanagar* . . .	.....	*Ditto.*
Ditto .	*Porbandar* . . .	.....	*Ditto.*
Bombay, Baroda and Central India Railway.	*Bajana* . . .	.....	*Ditto.*
Ditto .	*Lakhtar* . . .	.....	*Ditto.*
Ditto .	*Patri*	.....	*Ditto.*
Ditto .	*Wadhwan* . . .	.....	*Ditto.*
Delhi-Umballa-Kalka Railway.	Kalsia	.....	The Government of the Punjab.
Ditto .	Patiala . . .	.....	Ditto.
Dhond-Manmad State Railway.	*Hyderabad* . . .	.....	*The Resident at Hyderabad.*
Great Indian Peninsula Railway.	*Ditto* . . .	.....	*Ditto.*
Ditto .	*Kurundwad* . . .	*The villages of Baroti, Dudhani and Rupéwadi.*	*The Government of Bombay.*
Indian Midland Railway—			
(1) Jhansi-Agra Section.	*Dholpur* . . .	.....	*The Agent to the Governor General for Rajputana.*
Ditto .	*Dattia*	.....	*The Agent to the Governor General for Central India.*
Ditto .	*Gwalior* . . .	.....	*Ditto.*

Notification applying the Railways Act, IX of 1890, and issuing orders thereunder and in connection therewith—continued.

SCHEDULE—*continued.*

1	2	3	4
Railway.	State.	Specified parts of the State within which jurisdiction has been ceded over Railway lands.	Government or Authority deemed to be the "Local Government."
Indian Midland Railway—contd.			
(2) *Jhansi-Bhopal-Itarsi Section.*	*Bhopal* . . .	.....	*The Agent to the Governor General for Central India.*
Ditto .	*Gwalior* . . .	.....	*Ditto.*
Ditto .	*Kkaniadhana* . .	.....	*Ditto.*
Ditto .	*Kurwai* . . .	.....	*Ditto.*
Ditto .	*Orchha* . . .	.....	*Ditto.*
(3) *Jhansi-Cawnpore Section.*	*Samthar* . . .	.....	*Ditto.*
(4) *Jhansi-Manickpur Section.*	*Alipura* . . .	.....	*Ditto.*
Ditto .	*Garrauli* . . .	.....	*Ditto.*
Ditto .	*Orchha* . . .	.....	*Ditto.*
Ditto .	*Pahra*	.....	*Ditto.*
Ditto .	*Taraon* . . .	.....	*Ditto.*
Jammu and Kashmir Railway.	Jammu . . .	.....	The Resident in Kashmir.
Kolhapur State Railway	*Kolhapur* . . .	.....	*The Government of Bombay.*
Ditto .	*Miraj*	.....	*Ditto.*
Ditto .	*Sángli*	.....	*Ditto.*
Madras Railway . .	*Hyderabad* . . .	.....	*The Resident at Hyderabad.*
Ditto (*Bangalore Branch*).	*Mysore* . . .	.....	*The Resident in Mysore.*
Morvi State Railway .	*Dhrol*	.....	*The Government of Bombay.*
Ditto .	*Gavridad* . . .	.....	*Ditto.*
Ditto .	*Kotharia* . . .	.....	*Ditto.*
Ditto .	*Lakhtar*	.....	*Ditto.*
Ditto .	*Morvi*	.....	*Ditto.*
Ditto .	*Muli*	.....	*Ditto.*
Ditto .	*Rajkot*	.....	*Ditto.*
Ditto .	*Sayla*	.....	*Ditto.*

Notification applying the Railways Act, IX of 1890, and issuing orders thereunder and in connection therewith—continued.

SCHEDULE—*continued.*

1	2	3	4
Railway.	State.	Specified parts of the State within which jurisdiction has been ceded over Railway lands.	Government or Authority deemed to be the "Local Government."
Morvi State Railway .	*Wadhwan* . . .	.....	*The Government of Bombay.*
Ditto .	*Wankaner* . . .	.....	*Ditto.*
The Railways comprised in the undertaking of the Nizam's Guaranteed State Railways Company.	*Hyderabad.* . .	.....	*The Resident at Hyderabad.*
North-Western Railway (the Sind, Punjab and Delhi line).	Kapurthala . .	.....	The Government of the Panjab.
Ditto .	Nabha . . .	.....	Ditto.
Ditto .	Patiala . . .	.....	Ditto.
Rajputana-Malwa Railway—			
(1) *Cawnpore-Achnera State Railway.*	*Bhartpur* . . .	.....	*The Agent to the Governor General for Rajputana.*
(2) *Holkar State Railway.*	*Indore*	*The land to the south of the River Nerbudda.*	*The Chief Commissioner of the Central Provinces.*
Ditto .	*Ditto* . . .	*The land to the north of the River Nerbudda.*	*The Agent to the Governor General for Central India.*
(3) *Neemuch-Nusseerabad State Railway.*	*Gwalior* . . .	.....	*Ditto.*
Ditto .	*Meywar* . . .	.....	*The Agent to the Governor General for Rajputana.*
Ditto .	*Tonk*	.....	*Ditto.*
(4) *Rajputana State Railway.*	*Bhartpur* . . .	.....	*Ditto.*
Ditto .	*Jaipur*	.....	*Ditto.*
Ditto .	*Kishangarh* . . .	.....	*Ditto.*
Ditto .	*Ulwar*	.....	*Ditto.*
Ditto .	Nabha . . .	.....	The Government of the Panjab.
Ditto .	Pataudi . . .	.....	Ditto.
(5) Rewari-Ferozpur Railway.	Dujana . . .	.....	Ditto.
Ditto .	Faridkot . . .	.....	Ditto.

Notification applying the Railways Act, IX of 1890, and issuing orders thereunder and in connection therewith—continued.

SCHEDULE—*continued.*

1	2	3	4
Railway.	State.	Specified parts of the State within which jurisdiction has been ceded over Railway lands.	Government or Authority deemed to be the "Local Government."
Rajputana-Malwa Railway—contd.			
(5) Rewari-Ferozpur Railway.	Jhind	.....	The Government of the Panjab.
Ditto .	Nabha . . .	.....	Ditto.
Ditto .	Patiala . . .	.....	Ditto.
(6) *Sindhia-Neemuch Railway.*	*Dhar*	.....	*The Agent to the Governor General for Central India.*
Ditto .	*Gwalior* . . .	.....	*Ditto.*
Ditto .	*Indore*	.....	*Ditto.*
Ditto .	*Jaora*	.....	*Ditto.*
Ditto .	*Rutlam* . . .	.....	*Ditto.*
Ditto .	*Sailana* . . .	.....	*Ditto.*
(7) *Western Rajputana State Railway.*	*Baroda* . . .	.....	*The Government of Bombay.*
Ditto .	*Pahlanpur* . . .	.....	*Ditto.*
Ditto .	*Jodhpur* . . .	.....	*The Agent to the Governor General for Rajputana.*
Ditto .	*Serohi*	.....	*Ditto.*
Southern Mahratta Railway—			
(1) *Bijapur Branch*	*Akalkot* . . .	*The villages of Khánápur, Kegaon Budrukh, Kegaon Khurd, Sular Jawaige and Tadval.*	*The Government of Bombay.*
Ditto .	*Hyderabad* . . .	.....	*The Resident at Hyderabad.*
Ditto .	*Rámdrug* . . .	*The villages of Asoti and Somankatti.*	*The Government of Bombay.*
Ditto .	*Sángli*	*The village of Lachan* .	*Ditto.*
(2) *Harihar Branch*	*Jamkhandi* . . .	*The villages of Kamdoli, Kundgol, Pur, Sawshi and Sirúr.*	*Ditto.*
Ditto .	*Miraj (Junior)* . .	*The village of Gudgeri* .	*Ditto.*
Ditto .	*Savanúr* . . .	*The villages of Honnikop and Tondur.*	*Ditto.*

***Notification applying the Railways Act, IX of 1890, and issuing orders thereunder and in connection therewith*—concluded.**

SCHEDULE—*concluded.*

1	2	3	4
Railway.	**State.**	Specified parts of the State within which jurisdiction has been ceded over Railway lands.	Government or Authority deemed to be the "Local Government."
Southern Mahratta Railway—concld.			
(3) *Mysore Section* .	*Mysore* . . .	*The portion of land which lies between the centre of the Harihar Railway Bridge as measured from bank to bank and the North distant signal of the Harihar Railway Station.*	*The Government of Bombay.*
(4) *Poona Branch* .	*Aundh* . . .	*The villages of Bichud, Kundal and Virawde.*	*Ditto.*
Ditto .	*Jamkhandi* . . .	*The village of Shirawde* .	*Ditto.*
Ditto .	*Kolhapur* . . .	*The villages of Bambual, Budihal, Chinchli, Hubarhatti, Mavinhuda, Morab, Nagral and Rây-bág.*	*Ditto.*
Ditto .	*Kurundwad (Senior)* .	*The villages of Angal and Budhihâll.*	*Ditto.*
Ditto .	*Kurundwad (Junior)* .	*The villages of Dawunkutti, Majgaum, Sulga and Yellur.*	*Ditto.*
Ditto .	*Miraj (Senior)* . .	*The villages of Miraj, Narvad and Wuddi.*	*Ditto.*
Ditto .	*Miraj (Junior)* . .	*The village of Budgaon* .	*Ditto.*
Ditto .	*Phaltan* . . .	*The villages of Adarki Khurd, Hingangaon, Kapadgaon, Koparde, Salpa and Tambwe.*	*Ditto.*
Ditto .	*Sángli*	*The villages of Chandur, Dudhondi, Ghogav, Jhad Sáhápur, Kalkhamb, Karnol, Khangav Budrukh, Khangav Khurd, Mhaisál, Nandre, Sángli, Tumbarguddi, Tupari, Ugár Khurd and Yadalbhavihatti.*	*Ditto.*

[See *Gazette of India*, 1891, Pt. I, p. 162.]

CHAPTER VI.—(1)—DELHI-UMBALLA-KALKA RAILWAY.

APPENDIX B.

Notification declaring Laws in force and providing for Executive, Judicial and Police administration.

No. 4167-I., dated the 9th December, 1890.—Whereas His Highness the Mahárájá of Patiala and the Chief of Kalsia have granted to the British Government full jurisdiction within the lands which lie within their respective States, and are occupied, or may be hereafter occupied, by the Delhi-Umballa-Kalka Railway (including the lands occupied by stations, by out-buildings, and for other Railway purposes): In exercise of this jurisdiction, and of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879, and of all other powers enabling him in this behalf, the Governor General in Council is pleased to issue the following orders:—

1. All laws for the time being in force in the Umballa District of the Panjab shall be deemed to be in force in the aforesaid lands.
2. The Deputy Commissioner of the Umballa District, the Commissioner of the Delhi Division, the Financial Commissioners of the Panjab, and the Lieutenant-Governor of the Panjab and its Dependencies, for the time being, shall respectively have within the aforesaid lands the same executive powers as they may, respectively, exercise within the British territories subject to their administration.
3. British Courts having jurisdiction within the Umballa District may exercise within the aforesaid lands the jurisdiction which they, respectively, exercise within the said district.
4. Within the aforesaid lands the administration of the Police shall be vested in the Assistant Inspector-General of Railway Police, or such other officer as the said Lieutenant-Governor may appoint, by name or in virtue of his office, in that behalf. The Assistant Inspector-General or other officer aforesaid shall have the same police powers as may be exercised by the District Superintendent of Police, under any law for the time being in force, in the Umballa District, in subordination to the Deputy Commissioner of the Umballa District and the Inspector-General of Police in the Panjab.

[See *Gazette of India*, 1890, Pt. I, p. 875.]

APPENDIX C.

Notification declaring Laws in force, and providing for Executive, Judicial and Police administration.

No. 1503-I., dated the 7th May, 1886.—Whereas His Highness the Maháráját of Patiala, His Highness the Rájá of Nabha, and His Highness the Rájá of Kapurthala have ceded to the British Government full jurisdiction within the lands which lie within their respective States and are occupied by the North-Western Railway, till lately called the Sindh, Panjab and Delhi Railway (including the lands occupied as stations, out-buildings, and for other purposes connected with the Railway within their territories): In exercise of this jurisdiction, and of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879, and of all other powers enabling him in this behalf, the Governor General in Council is pleased to issue the following Notification :—

I.—(*1*) The provisions, so far as they may be applicable, of all laws for the time being in force in the Ludhiana District of the Panjab are hereby extended to the portion of the aforesaid lands which lie in the Pail tahsil of the Patiala State.

(*2*) The Deputy Commissioner of the Ludhiana District and the Commissioner of the Jullunder Division, for the time being, shall have within this portion of the aforesaid lands the same executive powers as they have respectively within the British territories subject to their administration.

(*3*) All British Courts having jurisdiction within the Ludhiana District shall have within this portion of the aforesaid lands the jurisdiction which they have, respectively, within the said district.

II.—(*1*) The provisions, as far as they may be applicable, of all laws for the time being in force in the Umballa District of the Panjab are hereby extended to the portion of the aforesaid lands which lie in the Nabha State or in any sub-division of the Patiala State other than the Pail tahsil.

(*2*) The Deputy Commissioner of the Umballa District and the Commissioner of the Delhi Division, for the time being, shall have within these portions of the aforesaid lands the same executive powers as they have, respectively, within the British territories subject to their administration.

(*3*) All British Courts having jurisdiction within the Umballa District shall have within these portions of the aforesaid lands the jurisdiction which they have, respectively, within the said district.

III.—(*1*) The provisions, so far as they may be applicable, of all laws for the time being in force in the Jullunder District of the Panjab are hereby extended to the portion of the aforesaid lands which lie in the Kapurthala State.

(*2*) The Deputy Commissioner of the Jullunder District and the Commissioner of the Jullunder Division, for the time being, shall have within this portion of the aforesaid lands the same executive powers as they have, respectively, within the British territories subject to their administration.

(*3*) All British Courts having jurisdiction within the Jullunder District shall have within this portion of the aforesaid lands the jurisdiction which they have, respectively, within the said district.

IV.—The Financial Commissioner of the Panjab and the Lieutenant-Governor of the Panjab and its Dependencies, for the time being, shall have within all the aforesaid lands the same executive powers as they have, respectively, within the British territories subject to their administration.

V.—Within all the aforesaid lands the administration of the Police shall be vested in the Assistant Inspector-General of Railway Police, or such other officer or officers as the said Lieutenant-Governor may appoint, by name or in virtue of office, in that behalf; and the Assistant Inspector-General or other officer or officers as aforesaid shall have within the several portions of the said lands, in subordination to the Deputy Commissioner having jurisdiction therein, and to the Inspector-General of Police of the Panjab, all the powers which the District Superintendent of Police has for the time being in the Ludhiana, Umballa, or Jullunder District, as the case may be.

[See *Gazette of India*, 1886, Pt. I, p. 311.]

Notifications relating to cession of Sovereignty over Bhawalpur Railway lands to the British Government.

28 & 29 Vict., cap. 17.

No. 1335-I.P., dated the 14th July, 1879.—In exercise of the power vested in him by Statute 28 Vict., cap. 17, section 4, the Governor General in Council is pleased to declare that the lands occupied by the Indus Valley State Railway, and the works, premises, and stations thereof, within the limits of the Bhawalpur State, which have been ceded to the British Government in full sovereignty by that State, shall be subject to the Lieutenant-Governorship of the Panjab.

[See *Gazette of India*, 1879, Pt. I, p. 500.]

28 & 29 Vict., cap. 17.

No. 169-I., dated the 18th July, 1882.—In exercise of the powers vested in him by Statute 28 and 29 Vict., cap. 17, section 4, the Governor General in Council is pleased to declare that the lands occupied by the Indus Valley State Railway, and works, premises, and stations thereof, within the limits of the Bhawalpur State, which have been ceded to the British Government in full sovereignty by that State since the issue of the proclamation by the Government of India, No. 1335 I.P., dated Simla, the 14th July, 1879, shall be subject to the Lieutenant-Governorship of the Panjab.

[See *Gazette of India*, 1882, Pt. I, p. 280.]

No. 1018-I., dated the 25th February, 1887.—Whereas His Highness the Nawab of Bhawalpur, on the 9th July, 1886, ceded to the British Government, in full sovereignty, certain lands which now form part of the Railway Station at Khanpur on the North-Western Railway, the Governor General in Council is pleased, in exercise of the power vested in him by the Statute 28 and 29 Vict., cap. 17, section 4, to declare that the lands shall be subject to the Lieutenant-Governorship of the Panjab.

[See *Gazette of India*, 1887, Pt. I, p. 115.]

[For law in force on these lands, *see* Act XIII of 1883.]

CHAPTER VI.—RAJPUTANA-MALWA (RAJPUTANA STATE AND REWARI-FEROZPUR) RAILWAY.

APPENDIX D.

Notifications applying Act III of 1888, and creating a general Police District, and appointing an Inspector General therefor.

(1)*No. 4308-I., dated the 18th December, 1890.*—Whereas the Rulers of the States mentioned in the margin have ceded to the British Government full jurisdiction within the lands which lie within their respective States, and are occupied, or may hereafter be occupied, *by the Bombay, Baroda and Central India Railway, and* by the Rajputana-Malwa Railway System (including *the Holkar State Railway, the Sindhia-Neemuch State Railway, the Neemuch-Nasirabad State Railway,* the Rajputana State Railway, *the Western Rajputana State Railway,* and the Rewari-Ferozpur State Railway, *but excluding the Cawnpore-Achnera Railway*), respectively (including the lands occupied by stations, out-buildings, and for other Railway purposes): In exercise of this jurisdiction, and of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, XXI of 1879, and of all other powers enabling him in this behalf, the Governor General in Council is pleased to direct that the Police Act, III of 1888, shall be in force throughout the lands aforesaid.

Wadhwan.	*Tonk.*
Lukhtar.	*Indore.*
Bajana.	*Gwalior.*
Patri.	*Dhar.*
Baroda.	*Rutlam.*
Pahlanpur.	*Jaora.*
Alwar.	*Sailana.*
Bhartpur.	Nabha.
Jaipur.	Pataudi.
Kishengarh.	Faridkot.
Marwar.	Patiala.
Sirohi.	Jhind.
Meywar.	Dujana.

This notification supersedes the notification of the Government of India in the Foreign Department, No. 1384-I., dated the 29th March, 1889.

[See *Gazette of India*, 1890, Pt. I, p. 886.]

No. 4., dated the 6th January, 1891.—In supersession of Home Department Notification No. 217, dated the 12th April, 1889, and with reference to Foreign Department Notification No. 4308-I., dated the 18th December, 1890, the Governor General in Council is pleased, in exercise of the power conferred by section 2, sub-sections (*1*) and (*2*), of the Police Act, III of 1888, and of all other powers enabling him in this behalf, to create a general police district embracing all the lands for the time being occupied by *the Bombay, Baroda and Central India Railway, and* by the Rajputana-Malwa Railway System (including *the Holkar State Railway, the Sindhia-Neemuch State Railway, the Neemuch-Nasirabad State Railway,* the Rajputana State Railway, *the Western Rajputana State Railway,* and the Rewari-Ferozpur State Railway, *but excluding the Cawnpore-Achnera Railway*), respectively, all lands occupied by stations, out-buildings, and for other Railway purposes being included, and to direct the enrolment under Act V of 1861 of a police force for service therein.

The Governor General in Council is also pleased to appoint the Governor of Bombay in Council to discharge within the general police district aforesaid the functions of the Local Government under Act V of 1861, the Code of Criminal Procedure, 1882, and any other enactment relating to police for the time being in force in the lands aforesaid or in any part thereof. X of 1882.

[See *Gazette of India*, 1891, Pt. I, p. 14.]

No. 1454, dated the 10th March, 1891.—* * * * * * * * (2)

2. Under the provisions of section 2 (*2*) of Act III of 1888 and section 4 of Act V of 1861, the Governor in Council is pleased to appoint the Inspector-General of Police, Bombay, to be Inspector-General for the new Police District, and is further pleased to empower all existing subordinate Police-officers of the District to continue the exercise of their functions under the said Inspector-General of Police.

[See *Bombay Government Gazette*, 1891, Pt. I, p. 256].

(1) The portions of these Notifications printed in italics relate to Railways not dealt with in this volume.
(2) The portion omitted is a re-publication in the Local Gazette of the two Notifications, dated 18th December, 1890, and 6th January, 1891, immediately preceding.

APPENDIX E.

Notification declaring Laws in force, and providing for Executive, Judicial and Police administration.

No. 1007-I., dated the 18th March, 1884.—Whereas * * * * * *[1] His Highness the Rájá of Nabha and the Nawab of Pataudi have ceded to the British Government full jurisdiction within those portions of land which lie within their respective States, and are occupied, or may be hereafter occupied, by the Railways comprised in the Rajputana-Malwa Railway System,[2] including the lands occupied as stations, out-buildings, and for other Railway purposes: In exercise of this jurisdiction, and of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879, and of all other powers enabling him in this behalf, the Governor General in Council is pleased to provide as follows for the administration of justice within the aforesaid portion of land:—

* * * * * *[1]

II. (*1*) All laws for the time being in force in the Gurgaon District of the Panjab are hereby extended to the portion of the aforesaid land which lies in the States of Nabha and Pataudi.

(*2*) The Deputy Commissioner of the Gurgaon District, and the Commissioner of the Delhi Division, and the Lieutenant-Governor of the Panjab, for the time being, shall respectively exercise, within this portion of the aforesaid land, the same executive powers as they may respectively exercise within the British territories subject to their administration.

(*3*) All British Courts having jurisdiction within the Gurgaon District shall exercise the same jurisdiction within this portion of the aforesaid land.

(*4*) Within this portion of the aforesaid land the administration of the Police shall be vested in the Superintendent and an Assistant Superintendent of the Police of the Rajputana-Malwa Railway System. These officers shall exercise respectively the same Police powers as may be exercised by District Superintendents and Assistant District Superintendents of Police under any law for the time being in force in the Gurgaon District, in subordination to the Deputy Commissioner of the Gurgaon District and the Inspector-General of Police in the Panjab. [3]

III. This Notification supersedes the undermentioned Notifications of the Government of India in the Foreign Department:—

* * * * * *[1]

(*b*) Notification No. 234A.I.J., dated the 28th November, 1881.

[See *Gazette of India*, 1884, Pt. I, p. 124.]

Notifications relating to the carriage, &c., of Salt.

[4]*No. 199J., dated the 13th November, 1878.*—Whereas[5] *His Highness the Mahárájá of Jeypur, His Highness the Mahárájá of Kishengarh, His Highness the Mahárájá of Bhartpur, His Highness the Mahá Ráo Raja of Alwár*, His Highness the Rájá of Nabha, and His Highness the Nawab of Pataudi have granted to the British Government full jurisdiction within those portions of land forming the Rajputana (State) Railway (including lands occupied as stations, out-buildings, and for other purposes connected with the Railway) which lie within their respective territories: In exercise of such jurisdiction, and of the powers conferred by sections 4 and 5 of Act XI of 1872[6] (The Foreign Jurisdiction and Extradition Act, 1872), the Governor General in Council is pleased to notify as follows:— XI of 1872.

(*1*) On all salt imported, whether before or after the date of this Notification, into any of the aforesaid portions of land without payment of duty, and which, after one month from the date of this notification and from the date of importation, has not been moved in a manner permitted by Notification No. 193J., of this date, a duty of Rs. 2-8 per maund of three thousand two hundred tolas shall be levied; and in calculating the amount of such duty, fractions of quarter maunds shall be reckoned as quarter maunds.

(*2*) When duty has become payable upon any salt under this Notification and has not been paid, any officer empowered in this behalf by the Commissioner of Inland Customs may declare such salt to be forfeited to Her Majesty:

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[1] The portions of this Notification which are omitted here relate to the lands in the territories of His Highness the Mahárájá Holkar, and will be set out in the Central India Volume of these Lists.

[2] When this Notification was issued the Rewari-Ferozpur Railway did not form part of the Rajputana-Malwa Railway system. As to that line see Notifications printed on p. 125 *infra*.

[3] See now Notifications Nos. 4308-I., 4 and 1454, dated respectively the 18th December, 1890 and the 6th January, and 10th March, 1891, printed *supra*, p. 122.

[4] Though this Notification refers only to Act XI of 1872, it has been classified as a "Special Local Law," as it applies to all persons and not to British subjects only.

[5] The Chiefs whose names are printed in italics are Rajputana Chiefs.—*See* the Rajputana Volume of these Lists.

[6] *See* now Act XXI of 1879, ss. 2, 4 and 5.

Notifications relating to the carriage, &c., of Salt—concluded.

Provided that no such declaration shall be made in respect of any salt until the expiration of one fortnight after notice in writing of the intention to make such declaration has been served upon the owner or consignor of such salt, or, where such owner or consignor cannot be found, after such notice has been posted at the place where such salt is stored, and, if such salt was conveyed to such place as aforesaid by rail from another place within the aforesaid portions of land, also at the place from which such salt was despatched.

(3) Nothing herein contained shall be deemed to impose any duty on salt covered by a pass stating that such salt is free salt furnished under treaty to some Native Prince or Chief.

[See *Gazette of India*, 1878, Pt. I, p. 662.]

No. 22J., dated the 14th February, 1879.—Whereas His Highness * * * (1) the Rájá of Nabha and His Highness the Nawab of Pataudi have granted to the British Government full jurisdiction within those portions of land forming the Rajputana State Railway (including land occupied as stations, out-buildings, and for other purposes connected with the Railway) which lie within their respective territories: In exercise of such jurisdiction, and of the power conferred by section 31 of Act VIII of 1875(2) (the Inland Customs Act), the Governor General in Council is pleased to invest all Traffic Managers, Assistant Traffic Managers, Station Masters, Assistant Station Masters and Goods Clerks, and also all Superintendents, Assistant Superintendents, and Inspectors of Police on the said Rajputana State Railway, within the aforesaid portions of land, with all the powers of stoppage and seizure conferred on Customs officers under the said Act.

[See *Gazette of India*, 1879, Pt. I, p. 111.]

(1) The part here omitted relates to States under the Rajputana Agency.—*See* the Rajputana Volume of these Lists.
(2) *See* now Act XII of 1882, s. 30, which is in force in these sections of this Railway by virtue of Notification No. 1007-I. dated the 18th March, 1884, printed *supra*, p. 123.

APPENDIX F.

Notifications declaring Laws in force, and providing for Executive, Judicial and Police administration.

(Faridkot and Nabha Sections.)

No. 2925-I., dated the 28th August, 1885.—Whereas His Highness the Rájá of Nabha and His Highness the Rájá of Faridkot have granted to the British Government full jurisdiction within the lands which lie within their respective States, and are occupied, or may be hereafter occupied, by the Rewari-Ferozpur State Railway (including the lands occupied as stations, out-buildings, and for other purposes connected with the Railway within their territories): In exercise of this jurisdiction, and of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879, and of all other powers enabling him in this behalf, the Governor General in Council is pleased to issue the following Notification:—

1. All laws for the time being in force in the Ferozpur District of the Panjab are hereby extended to the aforesaid lands.

2. The Deputy Commissioner of the Ferozpur District, the Commissioner of the Jullunder Division, the Financial Commissioner of the Panjab, and the Lieutenant-Governor of the Panjab and its Dependencies, for the time being, shall respectively have within the aforesaid lands the same executive powers as they may respectively exercise within the British territories subject to their administration.

3. British Courts having jurisdiction within the Ferozpur District may exercise within the aforesaid lands the jurisdiction which they respectively exercise within the said district.

4. Within the aforesaid lands the administration of the Police shall be vested in the Assistant Inspector-General of Railway Police, or such other officer as the said Lieutenant-Governor may appoint, by name or in virtue of his office, in that behalf. The Assistant Inspector-General or other officer as aforesaid shall have the same police powers as may be exercised by the District Superintendent of Police under any law for the time being in force in the Ferozpur District, in subordination to the Deputy Commissioner of the Ferozpur District and the Inspector-General of Police in the Panjab.(1)

[See *Gazette of India*, 1885, Pt. I, p. 522.]

(Patiala, Jhind and Dujana Sections.)

No. 3927-I., dated the 5th November, 1886.—Whereas His Highness the Mahárájá of Patiala, His Highness the Rájá of Jhind and the Nawab of Dujana have granted to the British Government full jurisdiction within the lands which lie within their respective States, and are occupied, or may be hereafter occupied, by the Rewari-Ferozpur State Railway (including the lands occupied as stations, out-buildings, and for other Railway purposes): In exercise of this jurisdiction, and of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879, and of all other powers enabling him in this behalf, the Governor General in Council is pleased to issue the following Notification:—

1. All laws for the time being in force in the Hissar District of the Panjab are hereby extended to the aforesaid lands.

2. The Deputy Commissioner of the Hissar District, the Commissioner of the Delhi Division, the Financial Commissioners of the Panjab, and the Lieutenant-Governor of the Panjab and its Dependencies, for the time being, shall respectively have within the aforesaid lands the same executive powers as they may respectively exercise within the British territories subject to their administration.

3. British Courts having jurisdiction within the Hissar District may exercise within the aforesaid lands the jurisdiction which they respectively exercise within the said district.

4. Within the aforesaid lands the administration of the Police shall be vested in the Assistant Inspector-General of Railway Police, or such other officer as the said Lieutenant-Governor may appoint, by name or in virtue of office, in that behalf. The Assistant Inspector-General or other officer as aforesaid shall have the same police powers as may be exercised by the District Superintendent of Police under any law for the time being in force in the Hissar District, in subordination to the Deputy Commissioner of the Hissar District and the Inspector-General of Police in the Panjab.(1)

[See *Gazette of India*, 1886, Pt. I, p. 665.]

(1) See now Notifications Nos. 4306-I., 4 and 1454, dated respectively the 18th December, 1890, and 6th January and 10th March 1891, printed *supra*, p. 122.

PART VII.—THE BRITISH ENACTMENTS IN FORCE LOCALLY IN THE TERRITORIES OF HIS HIGHNESS THE MAHARAJA OF JAMMU AND KASHMIR.

CHAPTER I.—THE TERRITORIES OF HIS HIGHNESS THE MAHÁRÁJA OF JAMMU AND KASHMIR.

CHAPTER II.—RAILWAY UNDER BRITISH JURISDICTION:
The Jammu and Kashmir Railway.

CHAPTER I.—JAMMU AND KASHMIR.

CHAPTER I.

THE TERRITORIES OF HIS HIGHNESS THE MAHARAJA OF JAMMU AND KASHMIR.

[For the relations of the British Government with this State, *see* Aitchison's Treaties, Vol. VI, pages 161—172. The State is at present administered by a Council of Regency under the superintendence of the Resident.]

The British Enactments in force locally in the territories of His Highness the Mahárájá of Jammu and Kashmir consist of—

British-Indian Enactments, namely,—

LOCAL RULES AND ORDERS—

under Acts in force generally in all Native States in India.

British-Jammu and Kashmir Enactments.

Acts of the Governor General in Council locally applied for the purposes of cases in which the Governor General in Council has jurisdiction.

British-Indian Enactments.

Local Rules and Orders under Acts in force generally in all Native States in India.

Year.	No.	Subject of Act.	Section.	Subject of Notification.	Notification.
1872	XV	Christian Marriage	8	Appointing the Resident in Kashmir to be a Marriage Registrar for the territories of His Highness the Mahárájá of Jammu and Kashmir.	*No. 1595-E., dated the 5th August, 1887.*—In exercise of the powers conferred by section 8 of the Indian Christian Marriage Act, XV of 1872, the Governor General in Council is pleased to appoint the officer holding for the time being the office of Resident in Kashmir, and being a Christian, to be a Marriage Registrar in respect of all places within the territories of His Highness the Mahárájá of Jammu and Kashmir. [See *Gazette of India, 1887,* Pt. I, p. 400.]
1879	XXI	Foreign Jurisdiction and Extradition.	4 & 5	Providing for the administration of civil and criminal justice in certain cases where European British subjects and their servants are concerned.	(1) *No. 605-P., dated the 28th March, 1873.* [Printed *infra,* p. 133.]
,,	,,	Ditto . .	,,	Providing for the administration of civil and criminal justice in certain cases.	*No. 933 E., dated the 8th May, 1891.* [Printed *infra,* p. *134.*]
,,	,,	Ditto . .	6	Appointing the Resident in Kashmir and his Assistant to be Justices of the Peace for the territories of His Highness the Mahárájá of Jammu and Kashmir, and directing that Justices of the Peace within those territories shall commit for trial to the Chief Court of the Punjab.	*No. 932 E., dated the 8th May, 1891.* [Printed *infra,* p. *134.*]
1886	VI	Births, Deaths and Marriages Registration.	13, 24 (2) & 32	Appointing the Residency Surgeon in Kashmir for the time being to be Registrar of Births and Deaths in certain cases, and the Registrar General of Births, Deaths and Marriages for the Panjab to be Registrar General.	*No. 343-I., dated 25th January, 1889.*—In exercise of the powers conferred by section 13 of the Births, Deaths and Marriages Registration Act, VI of 1886, the Governor General in Council is pleased to appoint the person for the time being holding the office of Residency Surgeon in Kash-

(1) Such portions of this Notification as are inconsistent with Notification No. 933-E., dated 8th May, 1891, have been cancelled by Pt. II of the latter Notification.

CHAPTER I.—JAMMU AND KASHMIR—*continued.*

British-Indian Enactments.

Local Rules and Orders under Acts in force generally in all Native States in India—*concld.*

Year.	No.	Subject of Act.	Section.	Subject of Notification.	Notification.
1886	VI —*contd.*	Births, Deaths and Marriages Registration.			mir to be a Registrar of Births and Deaths in respect of the classes of persons indicated in section 11, sub-section (*1*), clause (*b*), of the Act for (1) all places situate within the valley of Kashmir, (2) Gulmarg, and (3) Jammu, being within the territories of His Highness the Mahárájá of Jammu and Kashmir. II. For the purposes of section 24 sub-section (*2*), and section 32 of the said Act, the Governor General in Council is further pleased to appoint the Registrar General of Births, Deaths and Marriages for the Panjab, for the time being, to be the Registrar General for the territories of His Highness the Mahárájá of Jammu and Kashmir. [See *Gazette of India*, 1889, Pt. I, p. 54.]
	VI	Ditto . .	13	Appointing the Residency Chaplain and the senior member of the Church Missionary Society at Srinagar to be Registrars of Births and Deaths in certain cases.	*No. 1586-I., dated the 12th May, 1890.*—In exercise of the powers conferred by section 13 of the Births, Deaths and Marriages Registration Act, VI of 1886, the Governor General in Council is pleased to appoint the person for the time being holding the office of the Residency Chaplain, and the senior member for the time being of the Church Missionary Society at Srinagar, to be, for all places within the territories of His Highness the Mahárájá of Jammu and Kashmir, Registrars of Births, Deaths and Marriages(1) in respect of those classes of the community indicated in section 11 (*b*) of the said Act for which they are in the habit of officiating at baptisms, burials and weddings. [See *Gazette of India*, 1890, Pt. I, p. 364.]

(1) *Sic.*: read "Births and Deaths."

CHAPTER I.—JAMMU AND KASHMIR—*continued.*

B.—British-Jammu and Kashmir Enactments.

2.—Acts of the Governor General in Council locally applied for the purposes of cases in which the Governor General in Council has jurisdiction.

Year.	No.	Subject of Act.	Extent of application.	Modification.	Notification.
1850	XVIII	Protection of Judicial Officers.	The whole Act, so far as applicable.	As amended for the time being by subsequent enactments.	*No. 933-E., dated the 8th May, 1891.* [Printed *infra*, p. 134.]
1860	XLV	Penal Code.	Ditto . .	Ditto . . .	Ditto.
1864	VI	Whipping .	Ditto . .	Ditto . . .	Ditto.
1865	X	Succession .	Ditto . .	Ditto . . .	Ditto.
1866	XIV	Post Office .	Ditto . .	Ditto . . .	Ditto.
1870	VII	Court-fees .	Ditto . .	Ditto . . .	Ditto.
1872	I	Evidence .	Ditto . .	Ditto . . .	Ditto.
„	IX	Contract .	Ditto . .	Ditto . . .	Ditto.
1877	XV	Limitation .	Ditto . .	Ditto . . .	Ditto.
1881	V	Probate and Administration.	Ditto . .	Ditto . . .	Ditto.
1882	X	Criminal Procedure.	Ditto . .	Ditto . . .	Ditto.
„	XIV	Civil Procedure.	Ditto . .	Ditto . . .	Ditto.
1885	XIII	Telegraphs .	Ditto . .	Ditto . . .	Ditto.
1887	IX	Provincial Small Cause Courts.	Ditto . .	Ditto . . .	Ditto.
1888	VI	Debtors .	Ditto . .	Ditto . . .	Ditto.
1889	VII	Succession Certificates.	Ditto . .	Ditto . . .	Ditto.

APPENDIX A.

Notifications providing for the administration of Civil and Criminal Justice.

(1)*No. 605-P., dated the 28th March, 1873.*—By virtue of authority duly acquired in that behalf by agreement with the Mahárájá of Kashmir, the Governor General in Council is pleased, under sections 4 and 5 of Act XI of 1872(2) (the Foreign Jurisdiction and Extradition Act), to delegate to the British Officer for the time being on duty in Kashmir the powers described in the following Regulations :— XI of 1872.

I.—The British Officer for the time being on duty at Srinagar shall represent the British Government in Kashmir, and for the maintenance of good order the following powers and duties are respectively conferred and imposed upon him :—

(*a*) He may direct any European British subject who is travelling or residing in Kashmir, and who is guilty of any gross misconduct, to leave Kashmir forthwith, and may punish any person knowing of such direction and disobeying the same with rigorous or simple imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

(*b*) *He shall receive, try and determine in his Court (which shall be called "The Court of the British Officer in Kashmir") all suits of a civil nature between European British subjects or between European British subjects and their servants : provided—*

(*1*) *that the right to sue has arisen, or the defendant at the time of the commencement of the suit dwells or carries on business, or personally works for gain, within Kashmir ;*

(*2*) *that the suit is not of the same nature as those suits of which the cognizance by the ordinary Civil Courts of British India is barred by law.*

(*c*) He shall have the powers of a Magistrate of the first class as described in section 20 of the Code of Criminal Procedure (Act X of 1872)(3) for the trial of offences committed by European British subjects or by Native British subjects, being servants of European British subjects : X of 1872.

Provided that in the case of any offender being a European British subject, he shall only have power to pass a sentence of imprisonment for a term not exceeding three months, or fine not exceeding one thousand rupees, or both ; and when the offence complained of is, under the Indian Penal Code, punishable with death, or with transportation for life, or when it cannot, in the opinion of such officer, be adequately punished by him, he shall (if he thinks that the accused person ought to be committed) commit him to the Chief Court of the Punjab. XLV of 1860.

II.—Fines shall be recovered in manner provided by section 307 of the Code of Criminal Procedure (Act X of 1872). X of 1872.

III.—Sentence of whipping shall be carried into execution in manner provided by sections 310, 311, 312 and 313 of the same Code.

IV.—Persons sentenced to imprisonment shall be transferred to, and confined in, the Sialkot or Rawalpindi Jail.

V.—The procedure in all civil suits between European British subjects, or European British subjects and their servants, shall be regulated by the Code of Civil Procedure. The procedure in all criminal prosecutions shall be regulated by the Code of Criminal Procedure. VIII of 1859. X of 1872.

VI.—The said officer shall make rules to regulate the service and execution of processes issuing from his Court, and shall fix the fees to be charged to suitors for serving such processes.

VII.—All questions of law, or fact, or both, arising in cases before the said officer, shall be dealt with and determined according to the law administered in the Courts of the Punjab.

VIII.—The said officer shall keep such registers, books and accounts, and submit to the Lieutenant-Governor of the Panjab such statements of the work done in exercise of the aforesaid powers, as may from time to time be prescribed by the said Lieutenant-Governor. He shall also comply with such requisitions for records as the said Lieutenant-Governor may from time to time make upon him.

IX.—Duties and fees of the same amount respectively as the stamp duties and Court-fees prescribed by Act XVIII of 1869(4) and Act VII of 1870 shall be enforced by the said officer. XVIII of 1869. VII of 1870.

X.—There shall be no appeal against any order, judgment or decree passed by the said officer in a civil suit. But if, in the trial of any such suit, any question of law or as to the construction of a document (which construction may affect the merits of the decision) shall arise, he may draw up a statement of the case and refer it for the decision of the Chief Court of the Panjab, and he shall, on receipt of a copy of such decision, dispose of the case conformably thereto.

(1) As to the italicised portions of this Notification, *see* note on p. 135, *infra*.
(2) See now Act XXI of 1879, ss. 2, 4 & 5.
(3) See now Act X of 1882, applied by Notification No. 933 E., dated the 8th May, 1891, printed *infra*, p. 134.
(4) Repealed in British India by Act I of 1879.

Notifications providing for the administration of Civil and Criminal Justice—contd.

And any person convicted on a trial held by such officer *may appeal to the Commissioner of the Rawalpindi Division, and,* if such person be an European British subject, *he* may appeal either to the said Commissioner or to the Chief Court of the Panjab.

XI.—The appellant shall in every case give notice of the appeal to the said British Officer in Kashmir, who shall, if necessary, instruct the officer empowered to prosecute the case.

The Mixed Court.

XII to XV. *Omitted, the mixed Court having been abolished (Foreign Department letter No. 658-E., dated 8th April, 1891.)*

[See *Gazette of India*, 1873, Pt. I, p. 257.]

No. 932-E., dated the 8th May, 1891.—In exercise of the powers conferred by section 6 of the
1879. Foreign Jurisdiction and Extradition Act, 1879, the Governor General in Council is pleased—

(*a*) to appoint every officer for the time being holding the office of Resident in Kashmir or of Assistant to the Resident in Kashmir, being an European British subject, to be a Justice of the Peace within the territories of His Highness the Mahárájá of Jammu and Kashmir, and

(*b*) to direct that Justices of the Peace within the said territories shall commit for trial to the Chief Court of the Punjab.

[See *Gazette of India*, 1891, Pt. I, p. 235.]

No. 933-E., dated the 8th May, 1891.—Whereas the Governor General in Council has in certain cases jurisdiction within the territories of His Highness the Mahárájá of Jammu and Kashmir:—In exercise of this jurisdiction, and of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879, and of all other powers enabling him in this behalf, the Governor General in Council is pleased to issue the following orders with respect to such cases:—

PART I.

CRIMINAL JUSTICE.

For the purposes of the exercise within the said territories of criminal jurisdiction in such cases as aforesaid:—

(1) Every Assistant to the Resident in Kashmir for the time being may exercise the powers
X of 1882. of a District Magistrate and of a Court of Session as described in the Code of Criminal Procedure, 1882.

(2) The Resident in Kashmir for the time being shall exercise the powers of a Court of Session and High Court as described in the said Code in respect of all offences over which magisterial jurisdiction is exercised by any of his Assistants: provided that no such Assistant shall commit any accused person for trial to the Resident acting as a Court of Session.

(3) The Resident in Kashmir for the time being shall exercise the powers of a High Court as described in the said Code in respect of all offences over which the jurisdiction of a Court of Session is exercised by any such Assistant, except that, in cases in which the said Code requires the sentence of a Court of Session to be confirmed by the High Court, the sentence shall be referred for confirmation to the Governor General in Council instead of to the Resident.

(4) In the exercise of the jurisdiction of a Court of Session conferred on him by these orders, an Assistant may take cognizance of any offence as a Court of original criminal jurisdiction without the accused person being committed to him by a Magistrate, and shall, when so taking cognizance of any offence, follow the procedure laid down by the Code of Criminal Procedure, 1882, for the trial of warrant-cases by Magistrates.

(5) A trial before an Assistant in the exercise of the jurisdiction of a Court of Session conferred on him by these orders may be without jury or aid of assessors.

(6) This Part of these orders applies to all proceedings except—

(*a*) proceedings against European British subjects or British subjects jointly charged with European British subjects; and

(*b*) proceedings pending at the date of this notification, which should be carried on as if this notification had not been issued.

PART II.

CIVIL JUSTICE.

For the purposes of the exercise within the said territories of civil jurisdiction in such cases as aforesaid:—

(1) Every Assistant to the Resident in Kashmir for the time being may exercise the powers of
XIV of 1882. a District Court, as described in the Code of Civil Procedure, with jurisdiction in all original suits, whatever be the amount or value of the subject-matter, and in all other proceedings in which jurisdiction is conferred on the District Court by the law for the time being in force.

Notifications providing for the Administration of Civil and Criminal Justice—concld.

(2) Every Assistant to the Resident in Kashmir for the time being may exercise the powers of a Court of Small Causes, with jurisdiction in all suits cognizable under the Provincial Small Cause Courts Act, 1887, when the amount or value of the subject-matter does not exceed one thousand rupees. IX of 1887.

(3) Appeals shall lie, subject to the law for the time being in force, to the Resident in Kashmir from the decrees and orders of an Assistant, and the Resident shall exercise the powers of a High Court.

PART III.

LAWS.

(1) The provisions, so far as they can be made applicable in the circumstances for the time being, and as amended for the time being by subsequent enactments, of the Acts specified in the schedule to this notification, are, for the purposes of such cases as aforesaid, hereby applied to the said territories.

(2) Such portions of Foreign Department Notification No. 605-P., dated 28th March, 1873, as are inconsistent with these orders, are hereby cancelled.

SCHEDULE.

ACTS OF THE GOVERNOR GENERAL IN COUNCIL.

I.—Criminal.

Act XVIII of 1850 (Protection of Judicial Officers).
Act XLV of 1860 (Penal Code).
Act VI of 1864 (Whipping).
Act I of 1872 (Evidence).
Act X of 1882 (Criminal Procedure).

II.—Civil.

Act X of 1865 (Succession).
Act XIV of 1866 (Post Office).
Act VII of 1870 (Court-fees.
Act IX of 1872 (Contract).
Act XV of 1877 (Limitation).
Act V of 1881 (Probate and Administration).
Act XIV of 1882 (Civil Procedure).
Act XIII of 1885 (Telegraphs).
Act IX of 1887 (Provincial Small Cause Courts).
Act VI of 1888 (Debtors).
Act VII of 1889 (Succession Certificates).

[See *Gazette of India*, 1891, Pt. I, p. 235].

Note as to exercise of jurisdiction in Kashmir.

NOTE.—Such portions of Notification No. 605-P., dated 28th March, 1873, as are inconsistent with Notification No. 933-E., dated the 8th May, 1891, have been cancelled by Part III of the latter notification. The portions of the former notification which appear to be inconsistent with, or to be superseded by, the latter notification are printed in italics on pp. 133 and 134, *supra*.

The existing arrangements for the exercise of jurisdiction in Kashmir may be summarised as follows:—

Criminal.

1. The Resident in Kashmir and his Assistants have powers for enquiry into or trial of cases against—

(*a*) European British subjects,
(*b*) Americans,
(*c*) Europeans of any nationality other than British,
(*d*) Christians of European descent,
(*e*) Native Indian subjects of Her Majesty, such Indian subjects being either merely visiting the territories of His Highness or acting as servants of an European British subject, or
(*f*) British subjects accused of having committed offences conjointly with European British subjects.

Note as to exercise of jurisdiction in Kashmir—concluded.

2. The trial of Native Indian subjects who ordinarily dwell or carry on business, or personally work for gain within the said territories, will ordinarily rest with the Courts of the Darbar. At the same time it is to be distinctly understood that any such person convicted by such Courts has the right of making a representation to the Resident in Kashmir, and that if that officer considers there is ground for interference, his representations on the subject to the Darbar will be attended to.

3. Any person sentenced to imprisonment, or ordered to be detained in prison, by the Resident or by any of his Assistants, should be sent under a proper warrant to a jail at Sialkot or Rawalpindi, as the Resident may from time to time, by general or special order, direct (Act V, 1871, section 16).

Civil.

4. The Resident and his Assistants have powers to dispose of civil suits in which—

(1) both parties are subjects of Her Majesty;
(2) the defendant is an European British subject;
(3) the defendant is a Native Indian subject of Her Majesty, and at the time of the commencement of the suit does not ordinarily dwell or carry on business or personally work for gain within the territories of the Mahárájá.

5. All other suits between subjects of Her Majesty on the one hand and subjects of the Mahárájá on the other hand will ordinarily be triable in the Courts of the State.

6. The Mixed Court has been abolished.

(*Foreign Department letter No. 658-E., dated the 8th April, 1891.*)

APPENDIX B.

Supplementary Notes.

I.—Joint Commissioners, Ladakh.—By a Commercial Treaty between the British Government and the Mahárájá for the purpose of developing Trade with Eastern Turkistan, entered into in April, 1870 (*see* Aitchison's Treaties, Vol. VI, No. LXXXVII), provision was made (*see* Art. 3) for the appointment of Joint Commissioners—one by the British Government, and the other by th Mahárájá, with powers to supervise, maintain, and regulate a trade route to be opened by the Mahárájá, and to settle disputes between carriers, traders, travellers or others using that route, in which either of the parties or both of them were subjects of the British Government or of any Foreign State. In 1872 certain rules were drawn up for the guidance of the Joint Commissioner (see *ibid*, Appendix A), which defined more exactly their civil and criminal powers. Subsequently in 1875 further rules were made in respect to the refund of duty on goods exported from British territory to Kashmir, or Central Asia, *viâ* Kashmir. (See *ibid*, Appendix B.)

II.—Europeans in Kashmir.—Certain rules have been drawn up with the consent of His Highness the Mahárájá and the sanction of the Governor General in Council for observance by all Europeans, Americans, and Australians who are now or may be hereafter in the territory of His Highness the Mahárájá of Jammu and Kashmir. (*See* Foreign Department Notification No. 85-E., dated 13th January, 1888, *Gazette of India*, 1888, Part I, page 17.)

III.—Railway Lands.—Jurisdiction over the lands occupied by the Jammu and Kashmir Railway in the territories of His Highness the Mahárájá of Jammu and Kashmir has been acquired by the British Government. (*See* Chapter II of this Part, *infra*, p. 138.)

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CHAPTER II.

RAILWAY UNDER BRITISH JURISDICTION.

THE JAMMU AND KASHMIR RAILWAY.

The British enactments in force locally in this Railway consist of—

British-Jammu and Kashmir Railway Enactments.

1.—Local Laws made by the Governor General in Council—

(a) Acts of the Governor General in Council locally applied.

(b) Special Local Laws.

2.—Local Rules and Orders under Acts of the Governor General in Council locally applied.

CHAPTER II.—THE JAMMU AND KASHMIR RAILWAY—*continued.*

B.—British-Jammu and Kashmir Railway Enactments.

1.-(a) Acts of the Governor General in Council locally applied.

Year.	No.	Subject of Act.	Extent of application.	Modification.	Notification.
1890	I	Revenue Recovery.	The whole Act	.....	*No. 1415-I., dated the 30th April, 1890.* [Printed *supra*, p. 34.]
„	IX	Railways	The whole Act so far as suitable.	As amended for the time being by subsequent enactments.	*No. 1328-I., dated the 23rd March, 1891.* [Printed *supra*, p. 112.]

CHAPTER II.—THE JAMMU AND KASHMIR RAILWAY—*continued.*

B.—British-Jammu and Kashmir Railway Enactments.

1.-(b) Special Local Laws.

When made.	Subject of Notification.	Notification.	Reference.
1890 . .	Recovery of revenue arrears accruing in British India.	*No. 1415-I., dated the 30th April, 1890.*	[Printed *supra*, p. 34.]
1891 . .	Applying the General Rules for working open lines of Railway.	*No. 1328-I., dated the 23rd March, 1891.*	[Printed *supra*, p. 112.]
„ . .	Applying the General Rules for working Railways under construction.	Ditto.	Ditto.
„ . .	Declaring the Government of the Panjab to be the Local Government for the purposes of the Railways Act.	Ditto.	Ditto.
„ . .	Declaring laws in force in, and providing for the executive, judicial and police administration of, the lands occupied by the Railway.	*No. 1458-I., dated the 8th April, 1891.*	[Printed *infra*, p. 142.]

CHAPTER II.—THE JAMMU AND KASHMIR RAILWAY—*continued.*

B.—British-Jammu and Kashmir Railway Enactments.

2.–Local Rules and Orders under an Act of the Governor General in Council locally applied.

Year.	No.	Subject of Act.	Section.	Subject of Notification.	Notification.
1890	IX	Railways . .	16	Sanctioning the use of motive power and rolling stock.	*No. 1328-I., dated the 23rd March, 1891.* [Printed *supra*, p. 112.]
„	„	Ditto . .	144	Delegating certain powers and functions to the Government of the Panjab.	Ditto.

CHAPTER II.—THE JAMMU AND KASHMIR RAILWAY—*concluded.*

APPENDIX.

No. 1458-I., dated the 8th April, 1891.—Whereas His Highness the Maharaja of Jammu and Kashmir has ceded to the British Government full jurisdiction within those lands which lie within his State and are occupied, or may be hereafter occupied, by the Sialkot-Jammu section of the North-Western Railway system, including the lands occupied by stations, and out-buildings and for other purposes connected with the said section: In exercise of this jurisdiction, and of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879, and of all other powers enabling him in this behalf, the Governor-General in Council is pleased to issue the following orders:—

(1) All laws for the time being in force in the Sialkot District of the Punjab shall be deemed in force in the aforesaid lands.

(2) The Deputy Commissioner of the Sialkot District, the Commissioner of the Rawalpind Division, the Financial Commissioners of the Punjab, and the Lieutenant-Governor of the Punjab and its Dependencies for the time being, shall respectively have, within the aforesaid lands, the same executive powers as they may respectively exercise within the British territories subject to their administration.

(3) All British Courts having jurisdiction within the Sialkot District may exercise the same jurisdiction within the aforesaid lands.

(4) Within the aforesaid lands the administration of the Police shall be vested in the Assistant Inspector General of Railway Police or such other officer as the said Lieutenant Governor may appoint by name or in virtue of his office in that behalf. The Assistant Inspector General or other officer aforesaid shall have the same Police powers as may be exercised by the District Superintendent of Police under any law for the time being in force in the Sialkot District, in subordination to the Deputy Commissioner of the Sialkot District and the Inspector General of Police in the Punjab.

[See *Gazette of India*, 1891, Pt. I, p. 186.]

(a) The correct name of this line is believed to be "The Jammu and Kashmir Railway"—*see* p. 115, *supra*.

PART VIII.—THE BRITISH ENACTMENTS IN FORCE LOCALLY IN THE TERRITORIES OF HIS HIGHNESS THE MAHARAJA OF NEPAL.

THE TERRITORIES OF HIS HIGHNESS THE MAHARAJA OF NEPAL.

[For the relations of the British Government with this State, *see* Aitchison's Treaties, Vol. II, pages 149—184. In accordance with Art. 8 of the Treaty of Segowlee entered into in 1815 (see *ibid*, Vol. II, No. LIII), a British Resident is stationed at Khatmandu.]

The only British Enactment, so far as is known, in force locally in this State is the following:—

British-Indian Enactment, namely,—

Local Order under an Act in force generally in all Native States in India.

Year.	No.	Subject of Act.	Section.	Subject of Notification.	Notification.
1886	VI	Births, Deaths and Marriages Registration.	13, 24 (2) .	Appointing the Resident in Nepal to be Registrar of Births and Deaths for Nepalese territory, and the Registrar General of Births, Deaths and Marriages, Bengal, to be the Registrar General, to whom certified copies of entries shall be sent.	*No. 1428-E., dated the 24th July, 1889.*—In exercise of the powers conferred by section 13 and section 24, sub-section (2) of the Births, Deaths and Marriages Registration Act, VI of 1886, the Governor General in Council is pleased to appoint the Resident in Nepal, for the time being, to be *ex-officio* Registrar of Births and Deaths for Nepalese territory, and the Registrar General of Births, Deaths and Marriages for Bengal to be the Registrar General, to whom the certified copies of the entries in the register books kept by the said Registrar shall be sent. [See *Gazette of India, 1889*, Pt. I, p. 411.]

NEPAL—*concluded.*

Supplementary Note.

I.—Extradition.—An Extradition Treaty with Nepal was entered into in 1855 (*see* Aitchison's Treaties, Vol. II, No. LVIII). By a supplementary Treaty entered into in 1866 (see *ibid*, No. LIX) the offences of cattle-stealing, embezzlement by public officers, and serious theft were added to those mentioned in Art. 4 of the Treaty of 1855.

PART IX.—THE BRITISH ENACTMENTS IN FORCE LOCALLY IN BALUCHISTAN.

CHAPTER I.—THE TERRITORIES OF HIS HIGHNESS THE KHÁN OF KALAT.

CHAPTER II.—THE AGENCY TERRITORIES, OR THE TERRITORIES ADMINISTERED BY THE AGENT TO THE GOVERNOR GENERAL IN BALUCHISTAN AS SUCH AGENT

CHAPTER I.

THE TERRITORIES OF HIS HIGHNESS THE KHAN OF KALAT.

[For the relations of the British Government with this State, which are conducted through the medium of the Agent to the Governor General, Baluchistan, *see* Aitchison's Treaties, Vol. VI, pages 299—319.]

The British Enactments in force locally in these territories consist of—

British-Indian Enactments, namely,—

Local Rules and Orders—

(a) under a Statute in force generally in all Native States in India.

(b) under Acts in force generally in all Native States in India.

CHAPTER I.—KALAT—*continued.*

British-Indian Enactments.

(a) Local Order by the Queen in Council under a Statute in force generally in all Native States in India.

Year.	Reign.	Chapter.	Subject of Statute.	Section.	Subject of Order.	Order and reference.
1876	39 & 40 Vict.	46	Slave Trade .	1	Applying the Statute to the territories of the Khán of Kalat in Mekran and the coasts of Baluchistan.	*No. 1664-P., dated the 13th July, 1877.* [Printed *infra*, p. 154.]

CHAPTER I.—KALAT—*continued.*

British-Indian Enactments.

(b) Local Rules and Orders under Acts in force generally in all Native States in India.

Year.	No.	Subject of Act.	Section.	Subject of Notification.	Notification.
1874	II	Administrator General.	3	Directing that the territories of His Highness the Khán of Kalat shall, for the purposes of the Act as regards British subjects of Her Majesty in those territories, be deemed to be included in the Bombay Presidency.	*No. 812-E., dated the 19th April, 1890.*—In exercise of the powers conferred by section 3 of the Administrator General's Act, II of 1874, and in supersession of Foreign Department Notification No. 510-E., dated the 2nd March, 1887, the Governor General in Council is pleased to direct, in continuation of Foreign Department Notification No. 101-J., dated the 19th July, 1878,[1] that the territories of His Highness the Khán of Kalat and the territories administered by the Agent to the Governor General in Baluchistan as such Agent shall, for the purposes of the said Act, as regards British subjects of Her Majesty in those territories, be deemed to be included in the Presidency of Bombay. [See *Gazette of India*, 1890, Pt. I, p. 247.]
1879	XXI	Foreign Jurisdiction and Extradition.	6	Appointing Justices of the Peace and directing that they shall commit to the Chief Court of the Panjab.	*No. 813-E., dated the 19th April, 1890.*—In exercise of the powers conferred by section 6 of the Foreign Jurisdiction and Extradition Act, XXI of 1879, the Governor General in Council is pleased to appoint the following officers, being European British subjects, to be Justices of the Peace within the territories of His Highness the Khán of Kalat, and the territories administered by the Agent to the Governor General in Baluchistan, as such Agent, and to direct that the Chief Court of the Panjab shall be the Court to which the said Justices of the Peace shall commit European British subjects for trial.

[1] For this Notification, *see* Pt. I, *supra*, p. 13.

CHAPTER I.—KALAT—*continued.*

British-Indian Enactments.

(b) Local Rules and Orders under Acts in force generally in all Native States in India—*concld.*

Year.	No.	Subject of Act.	Section.	Subject of Notification.	Notification.
1879	XXI —*contd.*	Foreign Jurisdiction and Extradition.			*The officers above referred to*— The Agent to the Governor General in Baluchistan. The Political Agents— (*a*) Quetta. (*b*) Zhob. (*c*) Kalat and Bolan Pass. (*d*) South Eastern Baluchistan. (*e*) Loralai and Railway District. [See *Gazette of India*, 1890, Pt. I, p. 247.]
„		Ditto	6	Cancelling certain Notifications.	*No. 815-E., dated the 19th April, 1890.*—The following Notifications of the Government of India in the Foreign Department are hereby cancelled:— I.—Notifications respecting the appointment of Justices of the Peace in Baluchistan. * * * * * *(1) *No. 1839E.* } *dated the* „ *1840E.* } *5th December, 1885.* * * * * * *(1) [See *Gazette of India*, 1890, Pt. I, p. 248.]

(1) The omissions relate to Notifications not affecting the territories under the Khán's administration.

Supplementary Note.

I.—Telegraphs.—By Conventions for the extension of the Electric Telegraph entered into by the British Government with the Khán of Kalat and his feudatory, the Jam of Beyla, in 1863 and 1861, respectively, certain provisions have been made for the settlement of disagreements between the Telegraph officials and the subjects of the Khán, and of complaints against the former (*see* Aitchison's Treaties, Vol. VI, Nos. CXLVIII and CXLIX).

APPENDIX.

Order applying the Slave Trade Act, 39 & 40 Vict., cap. 46, to Mekran and the Coasts of Baluchistan.

No. 1664-P., dated the 13th July, 1877.—The following order of Her Majesty in Council is published for general information :—

AT THE COURT AT WINDSOR.

The 30th day of April, 1877.

PRESENT:

THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by an Act of Parliament made and passed in the Session of Parliament holden in the thirty-ninth and fortieth years of Her Majesty's reign, intituled "An Act for more effectually punishing offences against the laws relating to the Slave Trade," it is, amongst other things, enacted that—

If any person, being a subject of Her Majesty, or of any Prince or State in India in alliance with Her Majesty, shall, upon the High Seas or in any part of Asia or Africa which Her Majesty may from time to time think fit to specify by any Order in Council in this behalf, commit any of the offences defined in sections 367, 370 and 371 (in the Schedule to this Act respectively recited) of Act XLV of 1860, passed by the Governor General of India in Council, and called "The Indian Penal Code," or abet, within the meaning of the fifth Chapter of the said Penal Code, the commission of any such offence, such person shall be dealt with in respect of such offence or abetment as if the same had been committed in any place within British India in which he may be or may be found.

Now, therefore, in pursuance and by virtue of the said recited Act of Parliament, Her Majesty is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, that the said Act shall apply to the several parts of Asia and Africa hereinafter specified; that is to say—

(*a*) The territories of the Khán of Kalat and of the Sultan of Muscat in Mekran and Arabia.
(*b*) The coasts of Baluchistan, and of the Bunder Abbas Districts, and the shores of the Persian Gulf.
(*c*) The coast of Arabia from Ras Mussendom to Cape Babel-Mandeb.
(*d*) The territories of the following tribes near Aden, namely,—

The Abdali.	The Amir.
The Foodli.	The Subahi.
The Akrabi.	The Yafai.
The Howshabi.	The Oulaki.
The Alawi.	

(*e*) The coast of Africa from Ras Sejarme to Delagoa Bay.
(*f*) The territories of the Sultan of Zanzibar.
(*g*) The sea and islands within ten degrees of latitude or longitude from such coasts and shores, respectively.

And the Right Honourable the Marquis of Salisbury, and the Right Honourable the Earl of Derby and the Lords Commissioners of the Admiralty are to give the necessary directions herein as to them may respectively appertain.

[See *Gazette of India*, 1877, Pt. I, p. 381.]

CHAPTER II.

THE BALUCHISTAN AGENCY TERRITORIES,

OR

The territories administered by the Agent to the Governor General in Baluchistan as such Agent:

Comprising the four following districts, namely,—

1. The Quetta District.
2. The Zhob District.
3. The Bolan Pass District.
4. The Loralai and Railway District.

[The Cantonment of Quetta was occupied by British troops in 1876, but the district did not come under British administration until 1879.

The Zhob District was occupied in 1889.

Jurisdiction over the Bolan Pass District was acquired in 1883.

The Bori Valley (Loralai) was occupied in 1884, while jurisdiction over the lands on which the Sind-Pishin State Railway had been constructed, which constitute the rest of the Loralai and Railway District, was obtained in 1880.]

The British Enactments in force locally in the Agency territories consist of—

A.—British-Indian Enactments.

1.—Act of the Governor General in Council.[1]

2.—Local Rules and Orders—

(a) under a Statute in force generally in all Native States in India.

(b) under Acts in force generally in all Native States in India.

B.—British-Baluchistan Agency Territories Enactments, namely,—

1.—LOCAL LAWS MADE BY THE GOVERNOR GENERAL IN COUNCIL—

(a) Enactments of the British-Indian Legislatures locally applied—

(i) Bengal Regulations.

(ii) Acts of the Governor General in Council.

(iii) Regulations under 33 Vict., cap. 3.

(b) Special Local Laws.

2.—LOCAL RULES AND ORDERS—

(a) under Acts of the Governor General in Council locally applied.

(b) under Special Local Laws.

For the Enactments referred to in the above classification statement made prior to the 1st August, 1890, see Part II of the Baluchistan Code, 1890, and pages 157 and 158 *infra*[2]. For the Enactments made since that date, see pages 159 and 160 *infra*.

[1] The Sindh-Pishin Railway Act, XI of 1887, which has however since been applied by the Baluchistan Agency Laws Law, and is therefore now in practical operation as a Local Law only.

[2] The following Notifications are omitted from the Baluchistan Code and from this volume, because their cancellation has been suggested:—No. 542-E., dated the 14th April, 1885 (*Gazette of India*, 1885, Pt. I, p. 242); No. 2803-I., dated the 11th July, 1889 (*Gazette of India*, 1889, Pt. I, p. 397); No. 2804-I., dated the 11th July, 1889 (*Gazette of India*, 1889, Pt. I, p. 398).

CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*continued.*

British Indian Enactments made before the 1st August, 1890, and omitted from the Baluchistan Code.

Local Rules and orders under a Statute in force generally in all Native states in India.

Year.	Reign.	Chapter.	Subject of Statute.	Section.	Subject of Notification.	Notification.
1881	44 & 45 Vict.	58	Army Act.	133	Setting apart certain buildings in Quetta Cantonment as a Military Prison.	*No. 477, dated the 21st August, 1885.*—His Excellency the Governor General in Council is pleased, under the authority of section 133 of the Army Act, to set apart the undermentioned buildings as a Military Prison, namely:— The buildings or parts of buildings used as Garrison cells in the Quetta Cantonment. [See *Gazette of India*, 1885, Pt. I, p. 502.]
"	"	"	Ditto	"	Setting apart certain rooms in the Quetta Station Hospital as part of the Military Prison.	*No. 478, dated the 21st August, 1885.*—His Excellency the Governor General in Council is pleased, under the authority of section 133 of the Army Act, to set apart the buildings or parts of buildings at the undermentioned station as part of the Military Prison at that station and hereby declares the same to be part of such Military Prison, namely:— *Quetta.*—The two rooms in the centre of the south wing of the Station Hospital. [See *Gazette of India*, 1885, Pt. I, p. 502.]

British-Baluchistan Agency Territories Enactments made before 1st August, 1890, omitted from the Baluchistan Code.

Special Local Laws.

When made.	Subject of Notification.	Notification.	Reference.
1889 & 1890	Providing for— (1) execution of decrees— (*a*) of British Indian Courts by the Civil Courts in the agency territories, (*b*) of the Civil Courts in the Agency territories by Courts established or continued by the Governor General in Council in other Native States and *vice versâ*; (*c*) of certain Courts in Mysore and Bombay Native States by the Civil Courts in the Agency territories :	*Nos. 1362-I. to 1364-I., dated the 29th March, 1889, and No. 2183-I., dated the 2nd July, 1890.*	[Printed *infra*, pp. 164 and 165.]
	(2) service of summonses— (*a*) of British Indian Civil and Revenue Courts by the Civil Courts in the Agency territories; (*b*) of the Civil Courts in the Agency territories by Courts established or continued by the Governor General in Council in other Native States and *vice versâ*; (*c*) of certain Courts in Hyderabad, Mysore, Central India and Bombay Native States by the Civil Courts in the Agency territories.	*No. 1366-I to 1368-I., dated the 29th March, 1889, and No. 2182-I., dated the 2nd July, 1890.*	[Printed *infra*, p. 167.]

CHAPTER II.—THE BALUCHISTAN AGENCY TERRITORIES—*continued.*

British-Baluchistan Agency Territories Enactments made since the 1st August, 1890.

2.-(a) Local Orders under Acts of the Governor General in Council locally applied.

Year.	No. of Act.	Subject of Act.	Section.	Subject of Notification.	Notification.
1882	X	Criminal Procedure.	12	Appointing the Assistant in the Bolan to be a Magistrate of the 1st class in the Bolan Pass District.	*No. 996-F.C., dated the 6th October, 1890.*—In exercise of the powers conferred on the Local Government by section 12 of the Code of Criminal Procedure, 1882, as applied to the territories administered by the Agent to the Governor General in Baluchistan, as such Agent, and in supersession of that part of Notification No. 295C.,[1] dated 19th April, 1890, which refers to the Native Assistant in the Bolan, the Agent to the Governor General is pleased to appoint the person for the time being holding the office of the Native Assistant in the Bolan to be a Magistrate of the 1st class in the Bolan Pass District. [See *Gazette of India*, 1890, Pt. II, p. 635.]
1889	XIII	Cantonments	28	Extending the rules contained in Notification of the Government of India, Military Department, No. 617, dated the 5th July, 1890, to the area in the vicinity of the Quetta Cantonment occupied by the Civil and Military station of Quetta.	*No. 1076-F.C., dated the 30th October, 1890.*—In exercise of the powers conferred by section 28 of the Cantonments Act, 1889, as applied to the territories administered by the Agent to the Governor General in Baluchistan as such Agent, the Agent to the Governor General is pleased to extend to the area in the vicinity of the Quetta Cantonment occupied by the Civil station of Quetta the rules contained in Notification of the Government of India, in the Military Department, No. 617, dated the 5th July, 1890.[2] [See *Gazette of India*, 1890, Pt. II, p. 684.]

[1] Printed Baluchistan Code, Ed. 1890, Appendix, p. 199.
[2] See *Gazette of India*, 1890, Pt. I, p. 469.

2.-(b) Local Rules and Orders under Special Local Laws.

When made.	Subject of Law.	Section.	Subject of Notification.	Notification.
1890	Baluchistan Agency Forest Law.	3	Declaring certain lands to be State Forests.	*No. 5776, dated the 22nd October, 1890.* [Printed *infra*, p. 161.]
„	Ditto	3	Ditto	*No. 6440, dated the 3rd December, 1890.* [Printed *infra*, p. 161.]
„	Ditto	3	Ditto	*No. 407, dated the 20th January, 1891.* [Printed *infra*, p. 162.]
„	Ditto	11	Declaring certain trees to be reserved.	*No. 774 F.C., dated the 13th August, 1890.*—In exercise of the powers conferred by section 11 of the Baluchistan Agency Forest Law, 1890, the Agent to the Governor General is pleased to declare that the undermentioned trees, wherever growing naturally on land at the disposal of Government in the territories administered by him as such Agent, shall, from the 1st October, 1890, be reserved trees:—
				Latin. / English. / Vernacular. Juniperus excelsa. / Juniper. / Obisht. Pistachia Khanjak. / Pistachio. / Khanjak. Pistachia Mutica. / Ditto. / Sawan. Fraxinus Xanthoxyloides. / Ash. / Shang. Olea cuspidata. / Olive. / Kahu. Dalbergia sissu. / Shisham. / Shisham. Tali-sissu. [See *Gazette of India*, 1890, Pt. II, p. 523.]
,	Ditto	34 (*1*)	Empowering the Chief Forest Officer to compound certain forest offences.	*No. 775 F.C., dated the 13th August, 1890.*—In exercise of the powers conferred by section 34(*1*) of the Baluchistan Agency Forest Law, 1890, the Agent to the Governor General for Baluchistan is pleased to empower the person, for the time being holding the office of Chief Forest Officer in Baluchistan, (*a*) to accept from any person against whom a reasonable suspicion exists that he has committed any forest offence other than an offence specified in section 29 or section 31 of the aforesaid law, a sum of money by way of compensation for the offence which such person is suspected to have committed; and (*b*) when any property has been seized as liable to confiscation, to release the same on payment of the value thereof estimated by such officer. [See *Gazette of India*, 1890, Pt. II, p. 523.]

APPENDIX.

Notifications declaring certain lands to be State Forests.

No. 5776, dated the 22nd October 1890.—In exercise of the powers conferred by section 3 of the Baluchistan Agency Forest Law, 1890, the Agent to the Governor General is pleased to declare the undermentioned lands to be State Forests, with effect from the 15th November, 1890:—

No.	Name of Forest.	Talaqua.	Area. Acres.	Boundaries.				Remarks.
				East.	South.	West.	North.	
1	Chauter .	Zhob .	1,920	A line of stone pillars from Kaza over crest of hill to Bateter nala.	Bateter nala.	Line of pillars from nala over ridge to Chauter orchard.	Line of stone pillars nearly parallel with main nala.	Comprises both sides of the hill south of Chauter village.
2	Zarghun .	Quetta.	5,760	Line of stone pillars from bottom of valley to watershed above Chasan Baze.	Crest of hill forming north part of the Zarghun horse shoe.	Line of pillars from crest of valley.	Bed of stream from Chasan Baze to Sarrakhula.	A block occupying the north face of the Zarghun mountain.
3	Dhobi Ghat.	Ditto .	10	A narrow strip of low land north of the Railway line and south of the boundary of the Race Course.				
4	Zangi Lora	Ditto .	40	A narrow strip of land below the Zangi Lora ravine from the Military road northwards to the junction with the Lora river, demarcated with earth mounds.				

[See *Gazette of India*, 1890, Pt. II, p. 684.]

No. 6440, dated the 3rd December, 1890.—In exercise of the powers conferred by section 3 of the Baluchistan Agency Forest Law, 1890, the Agent to the Governor General is pleased to declare the undermentioned land to be a State Forest, with effect from the 15th December, 1890:—

No.	Name of Forest.	District.	Area. Acres.	Boundaries.				Remarks.
				South.	West.	North.	East.	
1	Hazar Ganj.	Quetta.	5,440	A line of dry stone pillars more or less parallel with the range about ½ mile from the bottom, and in the western end skirting round two small blocks of hillocks on the north side.	Starting from a conical hillock standing out in the plain, the main ridge running up to the highest peak of the range is followed to near the limit of vegetation up to a well-defined peak.	Descends from a sharp point on the shoulder of the highest peak of the range down a steep ridge into the ravine just below a shrine; thence rises in an easterly direction on to the top of the range and follows it for about 2 miles.	From a well-defined peak on the top of the range descends nearly due southward to a dry stone pillar in the undulating ground near the foot of the hill.	Not more than 4,000 acres of this are fit for forest growth, but the rest is included to secure a good boundary, and to protect the steep cliffs and slopes which occupy the higher part of the range.

[See *Gazette of India*, 1890, Pt. II, p. 756.]

Notifications declaring certain lands to be State Forests—concluded.

No. 407, dated the 20th January, 1891.—In exercise of the powers conferred by section 3 of the Baluchistan Agency Forest Law, 1890, the Agent to the Governor General is pleased to declare the undermentioned lands to be State Forests, with effect from the 15th January, 1891:—

No.	Name of Forest.	Ilaqua.	Area, Acres.	Boundaries.				Remarks.
				North.	East.	South.	West.	
1	Zarghun .	Quetta.	13,520	The main ridge forming watershed of the range.	The main ridge forming watershed.	The watershed trending in a north-east, south-west direction.	A line of precipitous cliffs running in a generally north-west, south-east direction passing the hamlet of "Urak," about ½ mile to north-east, marked by dry stone pillars wherever accessible.	The area is in the form of a horse shoe, the convex portion formed by the watershed; and the back by the steep cliffs above "Urak."

[See *Gazette of India*, 1891, Pt. II, p. 61.]

GENERAL APPENDIX.

EXECUTION BY COURTS ESTABLISHED OR CONTINUED BY THE GOVERNOR GENERAL IN COUNCIL IN NATIVE STATES OF DECREES MADE AND SUMMONSES ISSUED BY COURTS IN BRITISH INDIA AND BY CERTAIN COURTS IN NATIVE STATES.

EXECUTION BY COURTS ESTABLISHED OR CONTINUED BY THE GOVERNOR GENERAL IN COUNCIL IN NATIVE STATES OF DECREES MADE AND SUMMONSES ISSUED BY COURTS IN BRITISH INDIA AND BY(1) CERTAIN COURTS IN NATIVE STATES.

Application of section 229 A of the Code of Civil Procedure to Courts established or continued by the Governor General in Council in Native States, and execution by those Courts of decrees of British Indian Courts.

No. 1362-I., dated the 29th March, 1889.—In exercise of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879, and of all other powers enabling him in this behalf, the Governor General in Council is pleased to declare section 229A of the Code of Civil Procedure to apply to the Courts specified in the schedule hereto, and to notify that a decree of any Court situate in British India, which cannot be executed within the jurisdiction of the Court by which it was made, may, if sent for execution to a Court specified in the schedule, be executed by that Court to the same extent and in the same manner as that Court might execute within the limits of its jurisdiction a decree made by itself.

SCHEDULE.(2)

Civil and Military Station of Bangalore.

The Court of the Civil Judge.

Rajputana.

The District Courts of those sections of the Rajputana-Malwa Railway which are situated within the territories of States in Rajputana.

The District Court of that section of the Cawnpore-Achnera Railway which is situated within the State of Bhartpur.

(3) The District Court of the section of the Indian Midland Railway which is situated in the Dholpur State.

The Court of the Magistrate of Abu.

The Courts of Small Causes for the sections of the Rajputana-Malwa Railway which are situated within the territories of States in Rajputana.

The Court of Small Causes for that section of the Cawnpore-Achnera Railway which is situated within the State of Bhartpur.

(3) The Court of Small Causes for the section of the Indian Midland Railway, which is situated in the Dholpur State.

Central India.

The District Courts, Rajputana-Malwa Railway, at Mhow and Neemuch;

(3) The District Courts of those sections of the Indian Midland Railway which are situated within the territories of States in the Central India Agency.

The Courts of the Civil Judges of Mhow, Neemuch, Nowgong, and Indore;

The Court of the Political Agent, Goona;

The Courts of Small Causes at Mhow, Neemuch, Nowgong, and Sipri;

The Courts of Small Causes, Rajputana-Malwa Railway, Mhow and Neemuch Sections; and

(3) The Court of Small Causes for those sections of the Indian Midland Railway which are situated within the territories of States in the Central India Agency.

Hyderabad.

All Civil Courts in the Hyderabad Assigned Districts; and

The Civil Courts of the Second Assistant Resident, the Cantonment and Assistant Cantonment Magistrates of Secunderabad, and the Superintendent of the Residency Bazars.

Baluchistan Agency.

(4) All Civil Courts in the territories administered by the Agent to the Governor General in Baluchistan as such Agent.

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(1) N. B.—Only those Notifications have been printed here which affect States dealt with in this volume.

(2) By Notification No. 1361-I., dated the 29th March, 1889, as amended by Notifications Nos. 1480E., 3331-I. and 996 I., dated, respectively, the 17th July, 1890, the 4th October, 1890, and the 4th March, 1891, all the Courts in this schedule were declared, with reference to sections 90, 229, 229A, 229B, and 650A of the Code of Civil Procedure, to be Courts established or continued by the Governor General in Council in the territories of Foreign Princes and States—see *Gazette of India*, 1889, Part I, page 184, *ib.*, 1890, Pt. I, pp. 530 and 734, *ib.*, 1891, Pt. I, p. 124; and by Notification No. 2179-I., dated the 2nd July, 1890, a similar declaration was made concerning certain Courts in the territories of Native Chiefs under the political control of the Government of Bombay—see *Gazette of India*, 1890, Pt. I, p. 484.

(3) As amended by Notification No. 997-I., dated the 4th March, 1891—see *Gazette of India*, 1891, Pt. I, p. 124.

(4) As amended by Notification No. 1481-E., dated the 17th July, 1890—see *Gazette of India*, 1890, Pt. I, p. 530.

EXECUTION BY COURTS ESTABLISHED OR CONTINUED BY THE GOVERNOR GENERAL IN COUNCIL IN NATIVE STATES OF DECREES MADE AND SUMMONSES ISSUED BY COURTS IN BRITISH INDIA AND BY CERTAIN COURTS IN NATIVE STATES—*continued.*

Baroda.

The Court of Small Causes in the Cantonment of Baroda.
(1) The Court of the First Assistant to the Agent to the Governor General.

Manipur.

The Court of the Political Agent at Manipur.
[See *Gazette of India*, 1889, Pt. I, p. 185.]

Execution by Courts established or continued by the Governor General in Council in Native States of decrees of other such Courts.

No. 1363-I., dated the 29th March, 1889.—In exercise of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879, and of all other powers enabling him in this behalf, the Governor General in Council is pleased to notify that a decree of any Court established or continued by the authority of the Governor General in Council in the territories of any Foreign Prince or State which cannot be executed within the jurisdiction of the Court by which it was made may, if sent for execution to any other such Court, be executed by the other Court to the same extent and in the same manner as that Court might execute within the limits of its jurisdiction a decree made by itself.

[See *Gazette of India*, 1889, Pt. I, p. 186.]

Execution by Courts established or continued by the Governor General in Council in Native States of decrees of Civil and Revenue Courts not so established or continued in Mysore.

No. 1364-I., dated the 29th March, 1889.—In exercise of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879, and of all other powers enabling him in this behalf, the Governor General in Council is pleased to notify that a decree of any Civil or Revenue Court, situate in the territories of His Highness the Mahárájá of Mysore, and not established or continued by the authority of the Governor General in Council, may, if sent for execution to a Court established or continued by the authority of the Governor General in Council in the territories of any Foreign Prince or State, be executed by that Court to the same extent and in the same manner as that Court might execute within the limits of its jurisdiction a decree made by itself.

[See *Gazette of India*, 1889, Pt. I, p. 186.]

Execution by Courts established or continued by the Governor General in Council in Native States of decrees of Courts not so established or continued in Bombay Native States.

No. 2183-I., dated the 2nd July, 1890.—In exercise of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879, and of all other powers enabling him in this behalf, and in continuation of Foreign Department Notification No. 1364-I., dated the 29th March, 1889, the Governor General in Council is pleased to notify that, pending further orders, a decree of any of the undermentioned Courts situate in Native States within the political control of the Government of Bombay, and not established or continued by the authority of the Governor General in Council, may, if sent for execution to a Court established or continued by the authority of the Governor General in Council in the territories of any Foreign Prince or State, be executed by the Court to the same extent and in the same manner as that Court might execute within the limits of its jurisdiction a decree made by itself:—

Kolhapur.

Court of the Council of Administration, Kolhapur.
" Chief Judge of Kolhapur.
" Sadar Amin of Kolhapur.
" Munsiff of Shirol.

(1) As amended by Notification No. 3332-I., dated the 4th October, 1890—see *Gazette of India*, 1890, Pt. I, p. 735.

EXECUTION BY COURTS ESTABLISHED OR CONTINUED BY THE GOVERNOR GENERAL IN COUNCIL IN NATIVE STATES OF DECREES MADE AND SUMMONSES ISSUED BY COURTS IN BRITISH INDIA AND BY CERTAIN COURTS IN NATIVE STATES—*continued.*

Kolhapur—contd.

Court of the Gad Hinglaj.
" Joint Officer at Katkol.
" Munsiff of Vishalgad.
" Munsiff of Inchalkaranji.
" Chief of Bávda.
" Karbhari of Bávda.
" Karbhari of Kagal.
" Karbhari of Kapsi.(1)

Southern Maratha Country.

Court of the Chief of Mudhol } Mudhol State Courts.
" Nyáyádhish of Mudhol }

Janjira.

Court of the Sir Nyáyádhish of Janjira.

Mahi Kántha.

Court of the Government Manager of Mansa.
" Japtidar of Mohanpur.
" " Varsoda.
" " Pethápur.
" " Vásna.
" " Valásna.
" " Palej.
" " Galeat.

Rewa Kantha.

Court of the Administration of Rajpipla.
" Assistant Administrator of Rajpipla.
" Sir Nyáyádhish of Rajpipla.
" Subordinate Judge of Bhalod.

Surat.

Court of the Administrator of Sachin.
" Diwan of Sachin.
" Tahsildár of Sachin.

Southern Marátha country.

Court of the Joint Administrators of Miraj (junior) } Courts of Miraj (junior).
" Munsif of Kowtha }
" Munsif of Gadgeri }
" Munsif of Karoli }
" Administrators of Ramdurg } Courts of the Ramdurg State.
" Nyáyádhish of Ramdurg }

Savantvadi.

Court of the Political Superintendent, Savantvadi.
" Assistant Political Superintendent, Savantvadi.
" Judicial Assistant Political Superintendent, Savantvadi.
" Nyáyádhish of Savantvadi.
" Munsiff of Kudal.

Sholápur.

Court of the Subordinate Judge of Akalkot.
Subordinate Court of Pili.
" " Kurla.

[See *Gazette of India*, 1890, Pt. I, p. 486.]

(1) As amended by Notification No. 2594-I., dated the 6th August, 1890, in *Gazette of India*, 1890, Pt. I, p. 612.

EXECUTION BY COURTS ESTABLISHED OR CONTINUED BY THE GOVERNOR GENERAL IN COUNCIL IN NATIVE STATES OF DECREES MADE AND SUMMONSES ISSUED BY COURTS IN BRITISH INDIA AND BY CERTAIN COURTS IN NATIVE STATES—*continued.*

Service by Courts established or continued by the Governor General in Council in Native States of summonses issued by British Indian Civil or Revenue Courts.

No. 1366-I., dated the 29th March 1889.—In exercise of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879, and of all other powers enabling him in this behalf, the Governor General in Council is pleased to direct that a summons issued by any Civil or Revenue Court in British India for service within the local limits of the jurisdiction of a Court established or continued by the authority of the Governor General in Council in the territories of any Foreign Prince or State, shall, if sent to that Court, be served by that Court within those limits in manner provided by the Code of Civil Procedure, and, after being so served, be returned with such an endorsement under the hand of the Judge of the Court as is mentioned in section 90 of that Code.

[See *Gazette of India*, 1889, Pt. I, p. 186.]

Service by Courts established or continued by the Governor General in Council in Native States of summonses issued by other such Courts.

No. 1367-I., dated the 29th March, 1889.—In exercise of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879, and of all other powers enabling him in this behalf, the Governor General in Council is pleased to direct that a summons issued by any Court established or continued by the authority of the Governor General in Council in the territories of any Foriegn Prince or State, for service within the local limits of the jurisdiction of any other such Court, shall, if sent to the other Court, be served by that Court within those limits in manner provided by the Code of Civil Procedure, and, after being so served, be returned with such an endorsement under the hand of the Judge of the Court as is mentioned in section 90 of that Code.

[See *Gazette of India*, 1889, Pt. I, p. 186.]

Service by Courts established or continued by the Governor General in Council in Native States of summonses issued by Civil and Revenue Courts not so established or continued in Hyderabad, Mysore, Central India and Bombay Native States.

No. 1368-I., dated the 29th March, 1889.—In exercise of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879, and of all other powers enabling him in this behalf, the Governor General in Council is pleased to direct that a summons issued by any Civil or Revenue Court situate within the territories of His Highness the Nizam of Hyderabad, or His Highness the Mahárájá of Mysore, or of any Prince or State in Central India, and not established or continued by the authority of the Governor General in Council, shall, if sent to any Court so established or continued in the territories of any Foreign Prince or State, be served by that Court as if the summons had been issued by itself, and, after being so served, be returned with an endorsement of such service under the hand of the Judge of the Court.

[See *Gazette of India*, 1889, Pt. I, p. 187.]

No. 2182-I., dated the 2nd July, 1890.—In exercise of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879, and of all other powers enabling him in this behalf, the Governor General in Council is pleased, in continuation of Foreign Department Notification No. 1368-I., dated 29th March, 1889, to direct that a summons issued by any Civil or Revenue Court in a Native State situate within the political control of the Government of Bombay, and not established or continued by the authority of the Governor General in Council, shall, if sent to any Court so established or continued in the territories of any Foreign Prince or State, be served by that Court as if the summons had been issued by itself, and, after being so served, be returned with an endorsement of such service under the hand of the Judge of the Court.

[See *Gazette of India*, 1890, Pt. I, p. 486.]

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